IMPLEMENTATION OF THE FINAL ACT OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE: FINDINGS AND RECOMMENDATIONS SEVEN YEARS AFTER HELSINKI

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COMMISSION ON SECURITY AND COOPERATION IN EUROPE
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CHAPTER ONE - INTRODUCTION

BACKGROUND OF THE COMMISSION

The Commission on Security and Cooperation in Europe was created by Public Law 94-304, approved June 3, 1976, as an independent advisory agency.

The legislation, sponsored by Representative Millicent Fenwick and Senator Clifford P. Case,

> authorized and directed the Commission to monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to Cooperation in Humanitarian Fields.

The Commission is chaired by Representative Dante B. Fascell and co-chaired by Senator Robert Dole. It is composed of six members of the Senate, six members of the House of Representatives and one member each from the Departments of State, Defense and Commerce.

Since the majority of the Commissioners are also Members of Congress, the Commission frequently functions as a joint Congressional Committee -- holding hearings, preparing reports to the Congress and acting as a clearinghouse for Congressional human rights activities.

As an independent agency dealing in a specific area of foreign policy, the Commission plays an important role in formulating and implementing U.S. policy, participating in official government-to-government bilateral consultations with other CSCE signatories and in multilateral forums, such as NATO experts meetings and the Belgrade and Madrid CSCE review conferences.

SCOPE OF THE REPORT

This report, including its findings and recommendations, are based upon material compiled during the Commission's continuing study of Final Act implementation -- with special emphasis on the period since the last report in August 1980.

The Commission has focused its attention in this report primarily on the compliance records of the Soviet Union and its Warsaw Pact allies where, with rare exceptions, the level of implementation in many areas continues to be appallingly low. Given the continued armed occupation of Afghanistan by Soviet forces; the imposition, under heavy Soviet pressures, of martial law in Poland; and the radically increased repression of all forms of dissent in the Soviet Union and many other Warsaw Pact countries, it is clear that compliance with the Final Act has seriously regressed.

The Western CSCE states, on the other hand, generally have maintained relatively high standards of implementation in all areas of the Final Act, specifically, in those areas such as human rights where the Eastern record has been a cause of dismay. The Commission, therefore, has directed the bulk of its research to those nations whose records under the Helsinki Accords display the greatest need for improvement.

For the CSCE review conference in Madrid, this report will serve as an overview of compliance of the two-year period since the Commission undertook its review in the fall of 1980. For the American public, whose support is essential to continued U.S. participation in the CSCE process, the report provides a current picture of major implementation achievements and shortcomings in the most critical areas -- the Soviet Union and Eastern Europe.

Material for this report has been obtained from a number of sources. Since the issuance of its last report in August 1980, the Commission has held public hearings on Religious and National dissent in Lithuania, the fifth anniversary of the formation of the Ukrainian Helsinki Group, the crisis in Poland and its effects on the Helsinki process, Phase IV of the Madrid CSCE Review Meeting, and Soviet involvement in the Polish economy. A joint hearing with the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee on the continuing Soviet violations of the Helsinki Final Act in the invasion of Afghanistan, was also held. Commission researchers consulted the ninth, tenth, eleventh and twelfth semi-annual Reports of the President to the Commission on Implementation of the Helsinki Final Act. In addition, Commission staff members have consulted with official and private groups and individuals in a number of European countries. The Commission has also drawn on its contacts with a broad range of organizations and individuals within the United States which share an active interest in monitoring compliance with the Final Act.

While this publication is not intended to be a full report of compliance, it does indicate trends and new developments. Implementation of the Helsinki Accords is a process which requires continuing and sustained effort by all participating states of the CSCE and their people. This report is a contribution to that process.

The CSCE Process in Crisis

In the two years since the last Commission report on the implementation of the Helsinki Final Act -- from August 1980 until the present -- the CSCE process has been strained to the point where questions have been raised about its ultimate survivability. Reflective of this state of crisis, the Madrid CSCE review meeting -- the second of such meetings envisioned by the Helsinki Final Act to review the implementation of its provisions and to provide new measures for enhancing European cooperation -- has gone on for two years with no end in sight. The length of the meeting, in fact, has already far exceeded the duration of the first six-month review meeting in Belgrade in 1977-78 and has even surpassed the time required to negotiate the Final Act itself.

The current crisis has also raised fundamental questions about the purposes and capabilities of the Conference on Security and Cooperation in Europe as an instrument of East-West detente. There are those who say that the CSCE is a mechanism which can and should be utilized as a means of overcoming tensions and improving the international atmosphere. Others assert that to preserve the process, the CSCE should be used only when East-West relations are good and protected in times when they are bad.

There are still others who argue that the CSCE is more a barometer of East-West relations and, at best, can only reflect the actual state of affairs. According to this view, when relations are relatively good, the CSCE process can serve as a catalyst to advance and consolidate areas of cooperation. However, when relations are bad and are characterized by gross violations of the Final Act, as they are now, the process can only reflect the realities and wait for a better time. To ignore the realities and to try to intensify and develop new areas of cooperation when the original Helsinki pledges are being openly flouted, would amount to building on quicksand and would in the end weaken the CSCE process. The Commission subscribes fully to this interpretation and believes that the surest way for the signatory states to achieve a healthy CSCE process and contribute to a reduction of tensions is by faithful fulfillment of existing commitments under the Final Act, particularly those which are at the crux of current East-West differences.

As far as these differences are concerned, the facts are clear. The already dismal Eastern record of compliance with the provisions of the Helsinki Final Act has worsened significantly in the last two years, particularly in the areas of human rights and contacts and especially with regard to the Soviet Union and Poland. This deterioration includes, in Poland, a massive suspension of civil rights in connection with martial law and, in the Soviet Union, in addition to blatant manipulation of the events in Poland, new arrests of human rights activists and an all-out attack against Helsinki Monitors; a significant drop in the number of family reunification cases resolved positively; callous disregard of human life in the cases of a number of binational marriages; unprecedented disruption of telephonic communications with the West and the cynical silencing and arrest of unofficial peace demonstrators. Added to this list of new retrogressive measures, there is the continuing occupation of Afghanistan which strikes at the very heart of the principles of the Helsinki Final Act related to the rights inherent in national sovereignty, the threat or use of force, the right of peoples to self-determination and the acceptance of legal norms of international conduct.

Furthermore, the fallout from, first, Afghanistan and then Poland has produced a general hardening throughout the entire Eastern bloc, where significant and, in many cases, new violations of the Helsinki Final Act are occurring daily.

The Madrid meeting itself has been a testing ground for differing views of the role of the CSCE process in these difficult circumstances. Despite the massive violations of the provisions of the Final Act seen in the crushing of Solidarity and imposition of martial law in Poland, the invasion and occupation of Afghanistan, and the rising repression of human rights in the Soviet Union and areas of Eastern Europe, some CSCE participating states have shown a desire at Madrid to overlook or minimize these facts and to sign a new agreement containing a vast array of new, if in many cases marginal, commitments designed to give fresh life to the CSCE process. Admittedly, a great many of these new commitments are in the Western interest, but the brutal contempt which the Soviet Union and most of its allies have shown for existing Helsinki obligations holds faint promise for the observance of new undertakings.

Other CSCE states at Madrid, including the United States, have insisted on progress in implementation of the original Helsinki provisions before entering into new commitments. In the view of these states, in the absence of such progress and in light of events which have taken place in Poland, Afghanistan and in the area of human rights, agreement to a large number of new commitments, signaling to the world that detente is alive and well, is neither appropriate nor realistic. Such new commitments would only be justified if there were genuine, specific improvements in the current implementation of the Final Act, or if these new commitments included tough provisions which bore directly on the major problems facing the Conference. Provisions of this kind, it is reasoned, would be doubly hard for the Soviets and their allies to ignore if they are to retain any hope of keeping at least a semblance of detente alive. And that atmosphere of detente still appears to be the overriding objective of the East in pursuing the CSCE process.

It is far from clear even at this advanced stage what the final outcome of the Madrid meeting -- and to a significant degree the fate of the CSCE process -- will be. The possibility always exists that implementation improvements on the important issues will take place. Developments in Poland are critical in this respect. It is also possible, but doubtful, that the Soviet Union and its allies will agree to serious new undertakings in sensitive areas relating to human rights, Poland and Afghanistan. If either or both should be the case, the meeting which was resumed in Madrid in November 1982 -- exactly two years from its formal opening -- could achieve some modest results in the form of a substantial concluding document which both recognized the realities of the times and laid the foundation for some limited progress in the future. Such a document would have to be substantive

-- and not merely a collection of empty rhetorical pronouncements -- and balanced among all aspects of the Final Act. Whether, in the final analysis, the progress foreseen by such a document would actually be realized would depend primarily on whether the Soviet Union will continue to view East-West detente as in its interest.

Other, and more likely possibilities in the current circumstances are that the Madrid meeting will bog down indefinitely, declare a long adjournment or end with a short concluding document more accurately reflecting the current state of East-West relations. A number of the participating states, notably including several of the neutral and non-aligned countries which place an exceptionally high premium on the vitality of the CSCE process, fear that a meeting which goes on indefinitely in a contentious climate would cause irreparable harm to the process. If these states perceive a further stalemate during the next session, they may move for either a long adjournment or a short concluding document. It is difficult to predict what the reaction of the other states to either alternative will be if and when that time comes. Certainly the majority, if not all of the 35 participating states, hope that changed circumstances will permit a more positive outcome to the meeting. However, it is clear to all the participants at Madrid that such a positive outcome -- and the future of the CSCE process -- will depend squarely on whether the Soviet Union and its East European allies decide to live up to their basic obligations under the Helsinki Final Act.

IMPLEMENTATION FINDINGS

Here, in summary form, are section-by-section findings of the Commission staff.

SECURITY IN EUROPE

Since the issuance of our last report in August 1980, most Helsinki signatories have continued to implement the Declaration of Principles in normal diplomatic and commercial transactions between states. Notwithstanding, the Commission has found that the record of compliance with Principles VII and VIII generally has deteriorated in the past two years, the direct result of the continued Soviet occupation and subjugation of Afghanistan and the imposition of martial law in Poland. (Principle VII is discussed separately in the following section.)

In violation of at least half of the Principles of the Final Act, approximately 100,000 Soviet troops remain in Afghanistan, three years after the invasion of that country by Soviet forces in December 1979. Despite the efforts of the West and the neutral and non-aligned countries at the Madrid Meeting and in other international fora to vividly demonstrate the extent to which continued Soviet occupation and military subjugation of Afghanistan has violated the spirit and letter of the Final Act and the U.N. Charter, the Soviet Union has refused to admit any violations or to undertake meaningful measures to withdraw. The Soviet claim that its actions in Afghanistan are in response to an Afghan invitation under the Soviet-Afghan Treaty of 1978 has gained no credence since it was originally advanced in 1979. Neither has its claim, made repeatedly at the Madrid meeting, that the Soviet invasion was in response to intervention by other countries.

Despite the employment of massive military force, including the use of internationally proscribed chemical warfare weapons, the Soviet invasion army has been unable to establish its control. What it has done is to cause the deaths of thousands of Afghan civilians and a refugee exodus which involves nearly one-fifth of the pre-invasion Afghan population.

Only by a complete withdrawal of its troops from Afghanistan can the Soviet Union begin to re-establish the feelings of trust and security among the participating states necessary to the effective operation of the Helsinki process.

The imposition of martial law in Poland by the Polish military government and Soviet involvement in events leading to December 13, 1981 are among the most egregious violations of both the spirit and the letter of the Final Act since its adoption in 1975. The martial law decree and the subsequent outlawing of the trade union Solidarity, which had ten million Poles as members and the support of many more, categorically denies the Polish people their rights as set forth in Principles VII and VIII.

From the inception of Solidarity in August 1980 until its suppression in mid-December 1981, the Soviet Union persistently undermined those Principles of the Final Act which emphasize national sovereignty and non-intervention in internal affairs and acted in clear violation of Principles I, II, VI, and VIII. During this period the Soviet Union, together with its other Warsaw Pact allies, brought heavy pressures to bear on the Polish Government in protest against its relative tolerance of the Solidarity movement and its pleas for social, economic and political reforms. State-controlled media in the USSR, Czechoslovakia and the German Democratic Republic (GDR) repeatedly characterized the Solidarity movement as a "counter-revolution" and frequently implied the possibility of military intervention. These threats were reinforced by a series of Warsaw Pact military maneuvers in and around Poland and by the calling up of reserves. The fact that the martial law proclamation was printed in Moscow in September, three months before the military takeover, and the presence of Soviet Marshal Kulikov and other high officers of the Red Army in Poland on December 13 led Western observers to doubt whether the decision to impose martial law in Poland would have been made without the constant pressure and intimidation by the Warsaw Pact states and the Soviet Union in particular.

Both the imposition of martial law by the Polish authorities and the undeniable role played by the Soviet Union in instigating these events constitute one of the most serious breaches to date of the commitments undertaken in the Final Act.

The continued illegal occupation of Latvia, Lithuania and Estonia by the Soviet Union is another violation of the Principle VIII, on self-determination. The Soviet Union, in contravention of Principle X, also continues to seize, or return as undeliverable, mail that senders claim is not in violation of any known or published prohibition.

With the exception of a military maneuver designated "Soyuz '81" (designed at least in part to exert pressure on the government of Poland), all CSCE states have lived up to their minimal commitments in the area of military confidence-building measures. The NATO states have consistently volunteered to go beyond this and have undertaken the discretionary steps encouraged by the Final Act. With minor exceptions, this has not been the case with the Warsaw Pact states.

HUMAN RIGHTS

Principle VII, "Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief," represents the heart of Final Act promises on human rights. Signatory states are pledged "to promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms...without distinction as to race, sex, language or religion." In addition to important guarantees of the rights of ethnic minorities and religious believers, the participating states, in Principle VII, subscribe to the notion that these fundamental rights derive from the individual, not the state. Thus, in effect, Principle VII has become an international code of human rights conduct to which all CSCE states are obliged to adhere.

Unfortunately, far from admitting that no country has a perfect record on human rights, the Warsaw Pact countries generally reject the notion that they have any human rights blemishes at all. Official Warsaw Pact reactions to the wave of civic activism engendered by the Final Act have varied by country reflecting disparate historical experiences, geopolitical imperatives and leadership requirements: Poland underwent a traumatic reversal of its generally liberal tradition; Hungary continued its moderate approach to civil liberties; the German Democratic Republic maintained tight restrictions on the movement of its citizens, while remaining sensitive to outside criticism of its human rights performance; Bulgaria continued to maintain virtually total control over the political, economic, social and cultural life of its people; Czechoslovakia, Romania and the Soviet Union continued their harsh repression of all forms of independent social, political, religious and cultural expression.

HUNGARY -- This Warsaw Pact country continues to have a relatively positive record in the implementation of Principle VII. The liberalizing events in Poland received expressions of popular support in Hungary and generated sharp warnings from the authorities. Hungarian official and media organs denounced Solidarity activities, particularly the call for free trade unions in all of Eastern Europe. Ideological disagreements between the church hierarchy, supported by the State, and non-conformist priests and lay believers are a potential source of difficulty.

POLAND -- The imposition of martial law in Poland is a most blatant violation of the Helsinki Final Act and has reversed the slow but steady movement within Poland toward fuller compliance with the Final Act's provisions. The period of national renewal -- August 1980 to December 13, 1981 -- under the impetus of the Solidarity trade union movement, had brought major internal reforms in areas affecting human rights and fundamental freedoms. Under martial law there has been a wholesale abrogation of these rights and freedoms. With Soviet complicity, the Polish military authorities have sought to destroy the Solidarity movement, with its more than ten million members, which enjoyed the support of the vast majority of the Polish people. Although Lech Walesa was released in mid-November, other Solidarity leaders and many workers, scholars, and intellectuals still remain in prison.

ROMANIA -- The Romanian government continues to violate the human rights and fundamental freedoms of its peoples in contravention of Principle VII. There has been no significant improvement in the pattern of severe limitation of individual and collective liberties of citizens in the areas of civil and political rights, religious freedom and minority rights. On the contrary, there are indications that since August 1980 the Romanian government has further tightened already repressive internal controls to insulate its population from developments in Poland. The Romanian Government continues to be willing to discuss human rights issues with other participating states within the Helsinki context. That receptivity to humanitarian intercessions by other states, however, seems to be a function less of its commitment to implementing the Final Act than to its interest in pursuing foreign policy goals. While these intercessions have led to an occasional easement of the plight of particular individuals, they have not resulted in any fundamental improvements in Romania's human rights situation. Evidence of Romanian efforts to silence human rights activists surfaced recently in France in an abortive attempt to assassinate two Romanian dissidents who continued to publicize human rights violations in Romania after their emigration from that country.

BULGARIA -- While there is no well-publicized or widescale human rights movement in Bulgaria, the regime's virtually total control of political, economic, social and cultural life guarantees a sharp restriction of many of the civil and political rights enunciated in Principal VII and taken for granted in the West.

The state controls the press, decides which organizations may exist and permits no internal political opposition to either the state or the party. Internal opposition, when it appears, continues to be dealt with promptly and severely.

GERMAN DEMOCRATIC REPUBLIC -- The GDR has a mixed implementation record in living up to its obligations under Principle VII. Although the Socialist Unity (Communist) Party tries to assert total control over the exercise of essential civil and political rights such as freedom of speech, press and assembly, the large religious community enjoys significant rights, and the culture of a small ethnic minority is preserved. When it comes to respecting the right to emigrate, however, the record of the GDR is dismal. There are an estimated four to five thousand political prisoners in the GDR today, more than half imprisoned for attempting to leave the country.

CZECHOSLOVAKIA -- This country's record in implementing the Final Act's human rights provisions continues to be among the poorest in the Warsaw Pact. The arrest and imprisonment of human rights and religious activists continues, as the Czechoslovak government has demonstrated a heightened sensitivity to and suspicion of dissident activity in the aftermath of the events in Poland. In 1981, more than thirty activists were arrested in a crackdown on Czechoslovakia's two major human rights groups, Charter '77 and VONS (Committee for the Defense of the Unjustly Persecuted). Of these, seven remained in pre-trial detention for nearly a year. Charter '77 spokespersons and their relatives continue to be subjected to threats and a variety of pressures from the authorities. The activities of the Catholic Church remain severely curtailed by the authorities and in the past two years several Catholic clergy have been arrested and imprisoned.

SOVIET UNION -- The official Soviet campaign of repression against all forms of independent expression -- which the Soviet Union in Principle VII is pledged to respect -- continues unabated. In the area of civil and political rights, the official Soviet threat to prosecute 75-year-old retired lawyer, Sofya Kalistratova, forced a halt to the activities of the Moscow Helsinki Group on September 8, 1982. Nobel Peace Laureate Andrei Sakharov remains in illegal banishment in Gorky, subject to official harassment.

It is not only individual Soviet human rights activists who suffer as a result of official repression. Leaders of striking workers protesting severe food shortages have been subjected to harsh punishments. Ordinary Soviet citizens who complain to the authorities about pervasive corruption are subjected to detention in psychiatric hospitals.

Although in theory the Soviet Constitution grants the rights of secession to the Union republics, in practice people who advocate popular referenda on questions of national self-determination are subject to lengthy terms of imprisonment. Furthermore, members of the non-Russian half of the Soviet population who protest official policies of russification of their national cultures are also likely to face incarceration.

Similarly, although the Soviet Constitution grants freedom of religion, in practice religious believers have been subject to criminal prosecution. In the last two years, there has been an intensification of the Soviet anti-religious campaign, particularly against members of unregistered "illegal" evangelical Protestant groups, incuding many sick and old people, and women. Currently, for example, there are 157 reform Baptists who are imprisoned for their religious activities; Pentecostals who have mounted a campaign to emigrate from the USSR have also been arrested in large numbers.

Despite the intensive repression directed by the Soviets against dissent, human rights activists persevere. Unofficial literature is still produced; in Lithuania, for example, there are 16 unofficial journals. New citizens groups have emerged, such as the Group to Establish Trust between the USSR and the USA. Thousands of religious believers including Baptists, Lithuanian Catholics, and Russian Orthodox activists continue to protest repressive Soviet laws on religion. Millions of non-Russians chafe at Soviet official russification policies.

ECONOMIC AND SCIENTIFIC COOPERATION

The profound shocks produced by Soviet actions in Afghanistan and the imposition of martial law in Poland have soured the entire climate of East-West relations and made economic and commercial dealings more difficult. With the exception of Poland, however, commercial relations between East and West have continued to expand slowly. Hard currency debt problems have hindered greater cooperation and have redefined business relations with Eastern Europe. Western firms and banks show a greater reluctance to do business with the East. The continued lack of Eastern implementation of the Final Act provisions related to economic and marketing information, facilitation of business contacts, access to industrial and commercial end-users, and to freer scientific exchange have persisted unabated during the last two years. Economic and statistical reporting has been incomplete and tardy, and has overemphasized aggregate as opposed to detailed statistics. Hungarian fulfillment of Basket II obligations has remained at a higher level than other East European states. Scientific cooperation has dropped off significantly as a result of the deteriorating international atmosphere. The exchange of scientists between the United States and the Soviet Union, by early 1982, had fallen to 25 percent of the level obtained prior to the invasion of Afghanistan. U.S. scientific exchanges with Poland, formerly the largest and most comprehensive with any country in Eastern Europe, suffered a setback with the imposition of martial law in Poland and subsequent developments. Elsewhere in Eastern Europe, scientific exchanges continued at modest levels under various intergovernmental agreements.

HUMAN CONTACTS

In the Human Contacts provisions of Basket III of the Final Act, CSCE signatories agreed to "make it their aim to facilitate freer movement and contacts" and "to contribute to the solution of the humanitarian problems that arise in this connection." These provisions also included more specific commitments in regard to the reunification of families, binational marriages, family visits, travel for professional and personal reasons, tourism, meetings among young people, and contacts among private and official organizations.

In general, Warsaw Pact countries maintain strict control over the international travel of their citizens. Hungary has been more liberal, while Poland, due to martial law, has recently become much more restrictive. In most Warsaw Pact countries, permission for foreign travel is usually very difficult to obtain. The Soviet Union has sharply reduced the number of people leaving the USSR; the emigration rates for the three national minorities which had been permitted to emigrate -- Jews, Germans and Armenians -- has plummeted, while the chances for other Soviet citizens to emigrate remain almost non-existent.

SOVIET UNION -- The Soviet record of compliance with the human contacts provisions of the Final Act remains dismal. Soviet performance in the fields of emigration, family reunification, family visits, and international travel has deteriorated significantly since August 1980. Over the last two years the Soviet government has curtailed drastically not only the number of people permitted to leave but also the number of emigration applications. Jews, Germans and Armenians now experience severe obstacles, while the chances for other Soviet citizens to emigrate have evaporated. Indeed, the Soviet authorities have mounted a systematic campaign to curtail contacts between foreigners and Soviet citizens, including the recent curtailment of direct-dialing telephone access to the West.

BULGARIA -- The record of Bulgaria in implementing the Human ~~Contacts~~ provisions of the Final Act remained static in the past two years with significant improvement still needed in several areas. Permission to emigrate is rarely granted. In order to leave Bulgaria on a permanent basis, one must be released from Bulgarian citizenship, ~~fulfill~~ several obligations to the state and local authorities and acquire a number of documents including an emigration passport and an exit visa. While most prospective emigrants are not subject to sustained harassment or persecution unless they have engaged in what the authorities consider overt "anti-state" activities, they are frequently denied promotions, new jobs, and educational opportunities even when there is no intention of approving their applications. Some progress has been observed in the area of travel for temporary family visits; there are no unresolved binational marriage cases; and the number of Bulgarians travelling to the U.S. has increased significantly.

CZECHOSLOVAKIA -- Emigration procedures from Czechoslovakia continue to be cumbersome and slow, and result in frequent refusals and delays. Emigration is a difficult, protracted process taking at least three months or longer. Czechoslovakia continues to deny the right of repatriation to those emigrants it does not wish return. In clear violation of the spirit and letter of the Final Act, all citizens wishing to emigrate must sign a statement leaving all their property to the state and waiving all claims against the state including pensions. Visa fees, including reimbursement to the state for educational expenses, can still range up to several thousand dollars, depending on the education level of the prospective emigrant. There are presently no unresolved binational marriage cases. Czechoslovakia continues to place restrictions on foreign travel for its citizens including higher fees for passport applications and reduction of foreign currency allocations to the barest minimum.

GERMAN DEMOCRATIC REPUBLIC -- The grim reality of the Berlin Wall and the stark militarized zone dividing the GDR from the Federal Republic of Germany (FRG) symbolizes the negative GDR attitude toward the free movement of people and the reunification of families. The vast investment of resources required to maintain these barriers shows clearly the East German determination to restrict the movement of GDR citizens. In the March 1982 "Law on the GDR State Border," authorization is provided for shooting or use of other violent means to prevent illegal border crossings. During the two years covered by this report, eight people were killed or wounded by GDR border guards. During the same period, there were 64 shooting incidents at the border and 36 incidents in which East German guards violated FRG territory while in "hot pursuit" of fleeing people. Despite these formidable physical and legal barriers, thousands of GDR citizens attempt to escape. Of an estimated five thousand political prisoners in the GDR, the majority have been convicted of this "crime."

In October 1980, GDR authorities ended nine years of visa-free travel between the GDR and Poland. They also drastically raised visa and associated fees for Western travelers with an increase in the daily minimum currency conversion requirement. Except for a deterioration in recent months, the East German record on binational marriage cases has been generally good.

HUNGARY -- Hungarian law affecting the reunification of families and family visits continues to be restrictive, although in actual practice the Hungarian record is relatively good. Problem cases are handled in a constructive manner. Religious contacts continue to bring leaders of the various faiths practicing in Hungary together with their Western colleagues. Hungarian citizens may now visit Western countries at least once a year and it is estimated that over 400,000 Hungarians visit the West annually. Hungary continues to promote tourism actively and is improving both the quantity and quality of accomodations for foreign visitors.

POLAND -- During the period August 1980 to December 1981 there was a significant relaxation in the application of passport restrictions resulting in record numbers of Poles being permitted to travel abroad for personal, family or professional reasons. Since the imposition of martial law, foreign travel, except for family reunification, has been severely curtailed. The number of unresolved divided family cases for Poland is the highest among the Warsaw Pact states, partly a reflection of the large Polish populations in Western countries. Poland's compliance record in the area of binational marriages continues to be good. One of the more insidious measures undertaken by the martial law regime has been to use emigration as a tool to rid the country of Solidarity leaders and activists -- offering to release internees on condition that they leave the country.

ROMANIA -- Passport and visa laws and regulations in Romania, as in other Warsaw Pact countries, are designed primarily to provide the state with the means to restrict rather than facilitate the movement of its people. The same restrictive attitude applies in the case of binational marriages which require the permission of the Council of State of the Grand National Assembly. Despite strong official opposition to any kind of emigration, Romanian citizens whose departure represents no economic loss to the country and who are persistent and who enjoy influential support in the West, do often manage to secure exit permission although success may take years. Under the circumstances, the high level of permitted emigration to the Unites States represents substantial progress. In 1981, the level of Romanian emigration to the United States reached the optimum number under U.S. immigration procedures then in effect. However, in November 1982, in what can only be characterized as a serious regression, Romanian officials announced the imposition of a "diploma tax" on departing emigrants. The Romanian record on binational marriages remains the worst of all the Helsinki signatory states.

INFORMATION

With the exception of a brief period in Poland prior to the imposition of martial law, Eastern compliance with the Information provisions of Basket III has not improved, although the record of Hungary remains somewhat better than the rest of the Warsaw Pact. The dissemination of information is under strict state control in the Soviet Union and most of Eastern Europe. In addition, these governments utilize a powerful censorship apparatus to insure that all materials published or broadcast conform to ideological standards established by the government and the Communist party. To the extent possible, information from foreign sources is strictly limited and controlled. Ordinary citizens have great difficulty in acquiring Western publications. Those that are available are primarily publications of pro-Soviet communist parties in the West. Western films are occasionally shown on TV or in movie houses in the Soviet Union and Eastern Europe -- selected either because they are innocuous or portray life in the West in a negative light.

With the exception of Hungary, Romania, and the GDR, all Warsaw Pact countries practice jamming of radio transmissions of at least some Western broadcasters. Following a hiatus of several years, the jamming of Voice of America, BBC, and Deutsche Welle (FRG) broadcasts to the Soviet Union was resumed in August 1980, just prior to the opening of the Madrid meeting. Jamming of Polish language broadcasts of VOA was resumed on December 28, 1981 after a hiatus of 25 years.

Since August 1980, there has been some improvement in compliance with the Basket III provisions dealing with working conditions of journalists in the Warsaw Pact countries, although there have been a number of violations in the Soviet Union and at least one each in Poland, Bulgaria, Czechoslovakia and the GDR. Only Hungary and Romania remained in essential compliance with the provisions of the Final Act. The country with the worst record is the Soviet Union which continues to maintain tight control over foreign journalists. Overt censorship of wire transmissions of news stories out of the country is infrequent, but the treatment of selected foreign journalists can only be characterized as crude harassment.

No progress has been made in negotiations between the U.S. and the USSR concerning issuance of multiple entry and exit visas for non-resident correspondents. On the other hand, in 1981 there was some improvement in the visa situation. Six U.S journalists received multiple entry-exit visas and permanent accreditation in a timely fashion and, in 1982, two replacement correspondents were processed with dispatch although issuance for one technician was delayed for three months.

The cancellation by Soviet authorities of direct-dial telephone facilities in and out of the country in the late summer of 1982 has caused great difficulties for foreign journalists in communicating with their home offices. The Soviet authorities cite "technical difficulties" as the cause. The result, however, has been the creation of a situation in which the Soviets exercise control over international calls with precision.

CULTURAL AND EDUCATIONAL EXCHANGES

In the last two years, U.S. cultural exchanges with the Eastern countries have declined from previous levels achieved in the post-Helsinki years. This has been largely in reaction to the massive and egregious Soviet violations of the Helsinki Final Act in Afghanistan and Poland. Nevertheless, the level of residual exchange activity is higher than generally believed, due to the preservation of the official educational exchanges with the Soviet Union and Eastern Europe, the continuation of many non-governmental exchanges and the development of a number of new exchanges.

Following the expiration of the three-year U.S.-USSR Cultural Agreement at the end of 1979, the Soviet Union discontinued many of the official exchanges, particularly those conducted by its Ministry of Culture, including the performing arts, art exhibits, and exchanges of cultural leaders and arts students. Educational exchanges, conducted by the Ministry of Higher and Specialzed Secondary Education, on the other hand, have continued -- demonstrating that certain exchanges can be carried out without an intergovernmental agreement if they are of sufficient interest to the participants. The conferences of U.S. and Soviet writers have continued with their fourth meeting in Los Angeles in November 1980 and the fifth in Kiev in July 1981. Several other non-official exchanges have continued, conducted by private organizations on the U.S. side and by various governmental or quasi-governmental organizations on the Soviet side. New programs were begun by the U.S. National Academy of Sciences on arms control and disarmament, the Institute for Policy Studies, the Foreign Policy Research Institute and the USA-USSR Citizens Dialogue.

With the exception of Poland, exchanges with Eastern Europe have continued on a normal course. New agreements were signed with Romania, Hungary, and Bulgaria. There were no changes in the low level of cultural activity with Czechoslovakia and the GDR, countries with which the United States does not have cultural agreements. U.S. cultural exchanges with Poland were severely set back by the imposition of martial law in December 1981. Although there has never been a U.S.-Polish cultural agreement, U.S. exchanges with Poland in the past have been the largest and most comprehensive with any East European country. East European scholarly exchanges with the United States have continued their normal course, even in Poland where the imposition of martial law has not signficantly affected the IREX and Fulbright programs.

CHAPTER TWO - BASKET I
(Security in Europe)

INTRODUCTION

The first section or "Basket" of the Helsinki Final Act consists of a "Declaration on Principles Guiding Relations Between States" and a document on military confidence-building measures (CBMs).

PRINCIPLES

The ten Principles in the Declaration express basic precepts of international behavior to which the European community has long theoretically subscribed and which derive largely from principles propounded in the United Nations Charter. The Declaration of Principles, therefore, essentially codifies already existing principles of international law and makes clear the standards of international behavior to which all Helsinki signatories are pledged. As largely straightforward reaffirmations of what are accepted norms of international relations, the Principles, in most cases, require only refraining from certain actions for their fulfillment. Those in this category are: Principle I, Sovereign Equality; Principle II, Refraining from the Use of Force; Principle III, Inviolability of Frontiers; Principle IV, Territorial Integrity of States; Principle V, Peaceful Settlement of Disputes; Principle VI, Non-Intervention in Internal Affairs; and Principle X, Fulfillment in Good Faith of Obligations Under International Law. The other Principles -- notably Principle VII, Human Rights and Fundamental Freedoms; Principle VIII, Equal Rights and Self-Determination of Peoples; and Principle IX, Cooperation Among States -- require a country to take positive, specific actions to bring about their implementation.

Despite the fact that most of the Principles are supposed to be implemented in normal diplomatic and commercial dealings between states, the Commission has found that the record of compliance with the Declaration of Principles -- particularly Principles VII and VIII -- generally has deteriorated in the past two years, the direct result of the continued Soviet occupation and subjugation of Afghanistan and the imposition of martial law in Poland.

THE CONTINUED SOVIET OCCUPATION OF AFGHANISTAN

In direct violation of at least half the Principles of the Final Act, approximately 100,000 Soviet troops remain in Afghanistan, more than two and a half years after the invasion of that country by force of Soviet arms in December 1979. Despite strong efforts by the U.S., its Western allies and the neutral non-aligned countries at the Madrid Meeting and in other international fora to vividly demonstrate the extent to which the continued

Soviet occupation and military subjugation of Afghanistan has violated the spirit and the letter of the Final Act and the U.N. Charter, among other documents, the Soviet Union has steadfastly refused to admit any violations or to undertake meaningful withdrawal measures.

In the introductory language of Basket I, the participating states recognized "the close link between peace and security in Europe and in the world as a whole." From this, it is obvious that events in Afghanistan cannot be isolated from events in Europe. The Principles Guiding Relations among States, therefore, definitely have applicability to the situation in Afghanistan. The continued Soviet occupation of and military activity in Afghanistan are direct violations of at least five Principles of the Declaration: Principle I which calls upon the participating states to respect the right of every state to "juridical equality, to territorial integrity and to freedom and independence"; Principle II which calls on the participating states "to refrain from the threat or use of force against the territorial integrity or political independence of any state"; Principle VIII which calls on the participating states to "respect the equal rights of peoples and their right to self-determination"; Principle IX which stipulates that signatories "develop their cooperation with one another and with all states in accordance with the purpose and principles of the Charter of the U.N.; and Principle X which declares that signatories will "fulfill in good faith their obligations under international law."

The Soviet claim that its troops were invited into Afghanistan by the Afghan government pursuant to the Soviet-Afghan Treaty of 1978 is no more true now than when it was originally presented in 1979. The accompanying Soviet contention, made repeatedly at the Madrid Meeting, that its invasion of Afghanistan was in response to intervention by other countries is also absurd. The only external interference in Afghanistan has come, and continues to come, from the Soviet Union itself.

Despite the use of massive military force, the Soviet invasion army has been unable to establish its control over all, or even most, of Afghanistan. Widespread and determined resistance by the Afghan people continues. As a result, the Soviet occupation force has resorted to escalating violence and means of terrorism -- including the use of internationally proscribed chemical warfare weapons -- which has resulted in thousands of deaths among the Afghan civilian population and a massive refugee exodus out of the country. There are now an estimated 2.5 million Afghan refugees -- nearly one-fifth of the pre-invasion Afghan population -- living in camps in Pakistan along the Afghan border.

There seems to be no end in sight to the Soviet presence in Afghanistan, which, as time goes on, appears to be taking on certain elements of permanency. The Soviets are building major new air bases, a bridge at a key border crossing area, and a railroad from Kabul to the Soviet border, and have continued their massive arms build-up. The Soviet Union has repeatedly resisted all efforts to negotiate a peaceful end to the occupation of Afghanistan. In 1981, they rejected a plan advanced by the European Community intended to gain Soviet troop withdrawal from Afghanistan and to guarantee that nation's independence and neutrality.

The Soviet invasion and military operation in Afghanistan have done much to destroy the kind of security and cooperation which the Helsinki Final Act is intended to foster and encourage. The spirit and goals generated by the Final Act continue to be severely undermined as a result of those actions. Only by a complete withdrawal of its troops from Afghanistan can the Soviet Union begin to establish the trust and security among other CSCE signatories which are necessary for the effective operation of the Helsinki process.

IMPOSITION OF MARTIAL LAW IN POLAND

The imposition of martial law in Poland by the Polish military government and Soviet complicity in events leading to December 13, 1981 are among the most massive and egregious violations of both the spirit and the letter of the Final Act since its adoption in 1975.

The martial law decree categorically denies the Polish people their rights as set forth in Principle VII guaranteeing respect for the fundamental freedoms of thought, conscience, religion and belief, and Principle VIII assuring all peoples the right to freely determine "their internal and external political status" and to "pursue as they wish their political, economic, social and cultural development." The imposition of martial law was intended to crush the Solidarity movement which had the support of at least ten million Poles. In September 1982, it was estimated that under martial law 30,000 Poles have been arrested and/or sentenced to terms ranging from several months to ten years imprisonment. Over 100,000 others are believed to have been subjected to short-term detention and fines. At least 4,000 individuals are currently in pre-trial detention and 2,000 are reported to have been tried and are now serving prison sentences. The continued confinement of most of the Solidarity leadership and the introduction of loyalty oaths to eliminate Solidarity supporters from the workplace and universities, reveal the determination of the authorities to forcibly halt the reform initiated by the independent trade union movement with the wide support of the Polish people.

From the inception of Solidarity in August 1980 until the imposition of martial law in mid-December 1981, the Soviet Union, in its dealings with its sovereign neighbor and ally, has persistently undermined those Principles of the Final Act which emphasize national sovereignty and non-intervention in internal affairs. In particular, Soviet actions have violated Principle I which guarantees respect for the rights accorded a sovereign state; Principle II which prohibits the threat or use of force against another participating state; Principle VI which pledges non-intervention in the internal affairs of another participating state; and Principle VIII which asserts the right of self-determination for the peoples of each participating state.

Prior to the imposition of martial law, the Soviet Union together with its other Warsaw Pact allies repeatedly criticized the Polish government's tolerance of the Solidarity movement and issued repeated warnings against granting social, economic and political concessions to the reform movement. The martial law proclamation itself was printed in Moscow in September three months before the military takeover. The media of Poland's neighbors and allies, most notably the USSR, GDR and Czechoslovakia, regularly issued highly critical accounts of the Polish events asserting that Solidarity sought to destroy socialism in Poland. TASS and other Warsaw Pact press agencies often alluded to "counter-revolution" in Poland and implied the possibility of military intervention in order to maintain the socialist character of Poland's political system. These threats occurred despite assurances in Principle I that each participating state has the right "freely to choose and develop its political, social, economic and cultural systems" and "to be or not to be a party to treaties of alliance."

A series of tense meetings between top Polish officials and Soviet and other Warsaw Pact leaders further emphasized Soviet concern with the growing reform movement in Poland. On October 30, 1980, immediately prior to a meeting between the Polish government and representatives of Solidarity's National Coordinating Commission, former First Secretary Kania and Premier Pinkowski made a sudden visit to Moscow to consult with Brezhnev and other Soviet leaders on a suitable framework for negotiations with the union. The late Soviet ideologist and top Politburo figure, Mikhail Suslov, held many talks with Polish leaders repeatedly stressing, as on April 24, 1981, the need to "remove the dangers to the gains of socialism."[1]

After holding high-level talks in Moscow on March 4, 1981, to which Kania and other leading figures in the Polish government had been summoned as a result of heightened tensions in Poland, a communique was issued which stressed the need for "urgent" countermeasures to growing anti-socialist sentiments and asserted that the defense of socialism is a concern of "the entire socialist community." Despite Soviet proclamations that the imposition of martial law was "purely an internal affair" of Poland, it seems more than coincidental that Soviet Marshal Kulikov and other top officers of the Red Army were in Poland when martial law was imposed.

Further pressure on the Polish authorities in violation of the Helsinki Final Act was generated by carefully timed Warsaw Pact military maneuvers in and around Poland. On August 15, 1980, one day after the strike in Gdansk which gave birth to the independent trade union, TASS announced that Warsaw Pact maneuvers comprising 40,000 troops and lasting 4 days would take place September 8 in the Baltic region and the GDR. More exercises by joint Polish-Soviet forces followed on November 8 in Poland after which, in a departure from usual practice, Warsaw television broadcast a documentary account of the drills. In early December 1980, Soviet forces near Poland's eastern border were reported to be in a high state of preparedness, still augmented by mobilized reserves called up during the summer. And shortly after the March 4 meeting between the Polish leadership and the Soviet Politburo, the "Soyuz-81" military maneuver was launched. This large-scale unannounced Pact exercise -- which Western observers felt should have been duly notified under the terms of the Final Act's Confidence-Building Measures because it involved more than 25,000 troops -- covered territory in Poland, GDR, USSR and Czechoslovakia, and was extended on March 22 "because of the situation in Poland." At this time, Deputy Polish Premier Rakowski warned the Solidarity leadership that continued activity by the reform movement could bring Soviet tanks into Poland.

The increased state of Soviet and Warsaw Pact military readiness and the concentration of troops on and near Poland's borders throughout the Solidarity reform period gave unambiguous meaning to an article carried by Pravda October 13, 1981, which maintained that: "The preservation of the revolutionary gains of the Polish people is not only their domestic question. It is a question directly affecting the vital interests of all the peoples and states which have chosen the road of socialism."

In view of the evidence cited above, it is difficult to accept that the decision to impose martial law in Poland would have been made without constant pressure and intimidation by the other Warsaw Pact states and the Soviet Union in particular. Both the imposition of martial law by the Polish authorities and the undeniable role played by the Soviet Union in instigating these events constitute the most serious breaches to date of the commitments undertaken by the signatories to the Final Act.

EQUAL RIGHTS AND SELF-DETERMINATION OF PEOPLES

Principle VIII calls upon the CSCE signatories to "respect the equal rights of peoples and their right to self-determination." The Soviet Union's compliance record with this provision has not improved since the previous implementation report in August, 1980. Soviet actions in both Afghanistan and Poland, as well as within the USSR itself, clearly violate the part of Principle VIII that stipulates "all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development."

Although the Soviet Constitution endorses Principle VIII, and, in fact, recognizes the right of each Republic to secede from the USSR, real self-determination is non-existent. Lithuania, Latvia and Estonia are prime examples of countries which are unable to exercise their right to self-determination. The U.S. Government continues not to recognize the forcible and unlawful incorporation of the Baltic States into the Soviet Union, and the Commission endorses that position.

Self-determination remains a key issue among the Baltic peoples, despite the Soviet Government's contempt for any manifestation of nationalism. Many advocates of Baltic self-determination have suffered harsh reprisals during the last two years, including arrest, imprisonment or confinement in psychiatric hospitals. A leading Estonian national rights activist, scientist Juri Kukk, died in March 1981 after a prolonged hunger strike in a Soviet prison camp.

During the autumn of 1980, thousands of Estonian high school and university students sparked a series of demonstrations against the Soviet regime. On September 22, 1980 over 1,000 young Estonians demonstrated in Tallinn. The protest was set off by the authorities' last minute banning of a performance by a pop musical group on the grounds that "nationalistic elements" were detected in the group's lyrics. During a later protest, participants waved the banned Estonian national flag and shouted slogans calling for independence for Estonia and the removal of Soviet troops. Hundreds of demonstrators were arrested and several badly beaten.

In neighboring Latvia, a number of clandestine groups have promoted Latvian self-determination in their publications. In September 1980, two underground organizations, the Latvian Independence Movement and the Latvian Democratic Youth Committee petitioned the CSCE signatory states to have the Madrid review meeting initiate a national referendum, under international supervision, in Latvia. On March 8, 1982, former political prisoner Maigonis Ravins sent a petition to the USSR Supreme Soviet demanding official permission for the activities of the Latvian National Movement, an organization whose stated goal is the separation of Latvia from the USSR.

Unofficial publications calling for self-determination continue to flourish in Lithuania, despite the arrests and imprisonment of a number of prominent advocates of Lithuanian independence. Since the last reporting period, at least 13 Lithuanians have been arrested, imprisoned or forcibly interned in psychiatric hospitals for their self-determination activities. The question of self-determination is a prevalent theme in at least nine underground journals, such as in the 20th issue of Perspektyvos, which contains a lengthy essay, written by a spokesman for the Lithuanian Communist Association for Secession from the USSR, which contests the official Soviet line that Lithuania has no choice but to remain a component part of the USSR.

Other underground publications, notably *Ausra* and the *Chronicle of the Catholic Church in Lithuania* focus on religious matters, although these are often tightly interwoven with calls for self-determination. In an article entitled "Our Banner is Christian Patriotism" in the December 1980 issue of *Ausra,* the author explains why Christianity, which is international in its very essence, has undertaken the defense of what may seem to be "narrow national aspirations":

> Each nation has its international interests: the right to freedom, to the creation of an independent state, to cultural development, etc. Where these rights are denied, the nation is prevented from improving itself and from fulfilling its work in the community of mankind.

Members of other national and ethnic groups within the USSR continue to manifest serious concern over the denial of self-determination. Ukrainians, Georgians and Armenians are among those prohibited from exercising the right to determine their political status as well as to pursue their own social, cultural and economic development.

Much of the human rights activity in Ukraine relates to national rights. In a statement from his Mordovian prison camp dated February 22, 1981, Ukrainian dissident Yuriy Badzyo announced a three-day hunger strike to protest "violations in the USSR of human rights and of the rights of nations to self-determination, against the Party policy of great power chauvinism which in the past decade has had a particularly anti-Ukrainian character." Another *samizdat* document also written in 1981 by a Ukrainian rights activist using the pseudonym Stepan Howerla stresses the same theme. Part of a series entitled "Political Lessons for Ukrainian Youth," the document calls on Ukrainians to redouble their efforts to achieve self-determination for Ukraine. Within this context, Howerla calls upon the United Nations to raise the Ukrainian question to the political level by recognizing the colonial status of the Ukrainian S.S.R. These expressions are fully consistent with both the Soviet Constitution and the Helsinki Final Act.

Soviet authorities continue to be sensitive to any expressions of Ukrainian nationalism and are swift to suppress them. Former Chairman of the KGB in Ukraine (and current head of the All-Union KGB), Vitaliy Fedorchuk boldly asserted in April 1981 at a function in the KGB Derzhinsky Club in Dnepropetrovsk that in the past year "Forty Ukrainian nationalists were rendered harmless. To avoid unnecessary fuss abroad, most of them were sentenced as common criminals."[2]

A number of recent demonstrations in Georgia point to continuing ferment there as well. Soviet Georgian authorities have expressed serious concern about the emergence of nationalist trends, especially among the young. In the aftermath of demonstrations which took place in Georgia throughout the spring of 1981, a high Georgian Komsomol official demanded "an uncompromising battle against dabbling in politics and playing at pseudonationalist heroics."

There are also indications of continuing national unrest in Armenia. Since May 1980, at least ten Armenians have received sentences of up to seven years imprisonment and five years exile for participating in groups advocating self-determination for Armenia. These included five members of the "Union of Young Armenians", an organization dedicated to the cause of an independent Armenia.

COOPERATION AMONG STATES

Principle IX calls upon the participating states to promote mutual understanding and good-neighborly relations, as well as to increase mutual knowledge and progress in the economic, scientific, technological, social, cultural and humanitarian fields. A significant development consistent with the spirit of Principle IX took place at the end of 1981, when the United States and Czechoslovakia ended a controversy dating back to 1948 by signing an agreement on the return to Czechoslovakia of 18.4 tons of gold. This gold had been seized from Czechoslovakia by the Germans during the Nazi occupation of that country in World War II. It was recovered by the U.S. at the end of the war. The U.S sequestered the gold in 1948 when the Communists took power in Czechoslovakia and seized private property including the holdings of Americans and Czechoslovaks who had fled from Nazi occupation and became American citizens. Under the terms of the agreement, Czechoslovakia has agreed to pay $81.5 million to American claimants.

There have been other concrete examples of cooperation and exchange between Eastern and Western participating states in specific fields such as science, education and culture since the start of the Madrid Meeting. In addition, high-level political contacts between the participating states have continued as an integral facet of international diplomacy, although the continued Soviet occupation of Afghanistan and the imposition of martial law in Poland have served to complicate and reduce the frequency of such East-West contacts in recent years.

FULFILLMENT IN GOOD FAITH OF OBLIGATIONS UNDER INTERNATIONAL LAW

In Principle X, the Helsinki signatories agreed to abide by their commitments under international law. While nearly all signatories have adhered to Principle X as a matter of due course in the conduct of their foreign policies, the Soviet Union has not. Apart from the invasion and continued occupation of Afghanistan and Soviet complicity in the martial law crackdown in Poland, the USSR, in violation of legally-binding international regulations, continues to interfere in the delivery of international mail.

Many postal items, particularly packages, sent from the West to the Soviet Union do not reach their destination. According to the organization "Freedom of Communications," established to improve communications between the U.S. and the USSR, "the majority of these postal items are either lost in the Soviet mail or confiscated by the KGB or Soviet customs authorities."

As far as can be determined, Soviet citizens who are not under suspicion by the authorities can usually expect more or less regular delivery of letters from abroad. Several other categories of citizens -- political prisoners, former prisoners, dissidents, refuseniks, persons with "notable" relatives or friends abroad -- can expect censorship and non-delivery of their mail. Relatives and friends of political prisoners frequently report that only a small proportion of their letters get through to the addressees, despite prison regulations permitting an unlimited number of letters that can be received.

Soviet Jewish activist and imprisoned Helsinki Monitor Anatoly Shcharansky is forbidden to correspond with his wife, Avital, in Israel. Only a fraction of letters sent by Pentecostal Christians in the West have reached their relatives who have applied to emigrate from Soviet Siberia. Letters and gift parcels to Nijole Sadunaite, former Lithuanian political prisoner, are confiscated. When an American citizen sent Jewish refusenik Pavel Abramovich a letter containing two copies of the account of the Jewish Passover, the letter was confiscated on the grounds that the contents are prohibited in the mails of the USSR.

Proof that some letters are opened comes in the form of envelopes returned to the sender, obviously cut open, resealed, and stamped with an official notice stating that the contents are not permitted in the Soviet Union.

Packages present an even greater problem. In the first place, the Soviet Union strictly limits the quantity and variety of items that may be received in parcels. In addition, there are high customs duties on most items. One former Soviet citizen has reported that her mother told her to stop sending packages since the customs duty cost the recipient more than the items themselves were worth. Soviet postal regulations also stipulate that items sent from abroad may only be used by the recipient. Thus a Soviet citizen may be liable to criminal penalties if he or she attempts to sell items that he or she cannot use. Some Soviet citizens are on a "black list" prohibiting them from receiving packages. It has been reported that private parcel post firms in the West have been told not to accept packages for certain individuals such as the wife of the late Yuri Kukk, who died in a Soviet prison camp.

MILITARY SECURITY

The modalities of the military aspects of security and cooperation are addressed in the last half of Basket I, in two main sections. The first deals with confidence-building measures (CBMs) and consists of specific provisions to achieve the goal of lessening East-West tension in Europe by incorporating measures to inhibit the threat or use of force. The second expresses more generally the intent of the states to conduct relations with other states in such a way as to respect their individual and collective needs for security and their interest in working toward "the ultimate achievement of general and complete disarmament under strict and effective international control..."

IMPLEMENTATION

Although all Helsinki Final Act Principles are equal, the threat of war when dealing with military actions creates special urgency in the implementation of the military security sections involving confidence-building measures (CBMs) among states. Since the use of military force represents the most immediate and direct threat to the security of any state, the measures formulated to inspire confidence and reduce tensions caused by military maneuvers assume a level of importance that make those CBMs central to the overall record of participants' Final Act implementation.

The implementation record on CBMs, involving requisites of time, place and number, lends itself to objective assessment more readily than other provisions of the Final Act. The compliance of the states, individually and by bloc, with these provisions is an exigency more easily and precisely measured than, for example, the provisions urging economic or cultural cooperation.

There is a distinction between the degree of obligation involved in CBMs which are clearly voluntary in nature and those which are expected to be implemented automatically. Implementation of the latter, required CBMs, is considered no more nor less than fulfillment in good faith of one of the Final Act's standing commitments. Implementation of voluntary CBMs, on the other hand, is a demonstration of a participating state's desire to move beyond the Act's compulsory provisions to a higher plateau of commitment. The CBM which falls in the obligatory category is notification of major military maneuvers; such notification to include information of the designation, if any, the general purpose of the maneuver, the types and strengths of the forces, and the area and time frame of its conduct. Those which are voluntary or discretionary are: notification of smaller-scale military maneuvers, exchange of observers, notification of major military movements and exchanges of military visitors. With minor exceptions, only the Western participants in CSCE have consistently implemented the compulsory CBMs and, fairly often, the voluntary ones as well. The Soviet Union has rarely implemented a voluntary confidence-building measure and has committed egregious violations of certain of the required CBMs.

PRIOR NOTIFICATION OF MAJOR MILITARY MANEUVERS

The Helsinki Final Act document on confidence-building measures requires all signatory states to give notification of major military maneuvers, defined as those involving more than 25,000 troops, at least 21 days in advance of the start of the maneuver. During the period covered under the last report by the Commission dated August 1, 1980, CSCE states had notified all major military maneuvers. Most signatories, including all NATO states and all neutral and non-aligned states have continued to fulfill this most basic Final Act requirement. The Soviet Union and its Warsaw Pact allies, however, were guilty of a serious breach of this provision.

In March 1981, Soviet and other Warsaw Pact forces conducted extensive military activity in and around Poland in an exercise named Soyuz-81. This activity, which the Soviet Union termed a "command staff exercise," was not notified. Furthermore, the Soviet Union's notification of the September maneuver Zapad-81 did not contain all the information required by the CBM. Notifications require that the designation be given, as well as the general purpose and the states involved in the maneuver, the type or types and numerical strength of the forces engaged, the area and estimated time-frame of its conduct. The information in notifications issued by Eastern states has usually been minimal.

Soyuz-81 was a massive military exercise, one which had as one of its purposes the intimidation of a neighboring CSCE state, in flagrant contravention of the Helsinki Final Act. Two reasons were given why this exercise, which lasted from March 17 to April 7, 1981, was not announced under the CBM requirement: it was a routine "command/ staff exercise," and the maneuvers did not involve more than 25,000 troops. On the contrary, reports gleaned from official Warsaw Pact radio stations and other sources show that, far from being a command/staff exercise, this was a wide-ranging, comprehensive maneuver utilizing large-scale troop movements and amphibious landings almost certainly involving considerably more than 25,000 troops. The ground forces of four nations were involved; elements of the Soviet, Polish and East German navies participated; concurrent activities took place in several different military districts; at least two amphibious landings involving waves of troops from three countries were carried out; airborne landings were practiced; and there was at least a partial mobilization of reservists in both Poland and the German Democratic Republic.

Zapad-81 took place from September 4 to 12, 1981. The Soviet notification did not include the maneuver's designation, the types of forces engaged or the number of troops taking part. Through diplomatic channels the United States asked the Soviet Union about these items prior to the beginning of the maneuver. No official response was received. The name of the exercise and the assertion that "extremely limited" numbers of troops would be engaged were learned from Eastern press reports. On September 5, the second day of the maneuver, the Soviet news agency TASS reported that approximately 100,000 troops were taking part, making it the largest maneuver notified by any signatory state, or group of signatory states, since the Final Act was signed in 1975. It is significant in determining the Soviet Union's approach to implementation that in response to representations requesting the missing CBM information, the United States was told that the provisions of the Act on notification of major maneuvers were, after all, only "guidelines," not requirements.

The Soviet notification, such as it was, was unduly vague and unrevealing, not at all consistent with the very purpose of the CBM concept, which is to build mutual confidence among states. Rather than build confidence, the apparent Soviet disdain for the notification requirement generated suspicion and mistrust.

From the foregoing, it must be concluded that substantial violations or instances of non-compliance have occurred. An implementation regime that most of the CSCE signatories regard as a requirement is regarded as a mere "guideline" by the Soviet Union. The presence of 100,000 troops in the field is described as an "extremely limited" number not worthy of proper disclosure in a notification. Widespread and intense combined arms military activity involving multinational forces and all military branches and specialists, during a period of extreme political tension, is allowed to go completely unreported despite the CBM regime because it has been defined as a "command and staff exercise."

In contrast to these gross violations of the Final Act, the following major maneuvers have been notified since the last report:

NATO States

-- Spearpoint was notified August 21, 1980 by the Federal Republic of Germany and August 22, 1980 by the United Kingdom. Spearpoint was an 86,000 man exercise with troops from the US, the UK and the FRG, held September 15 - 24, 1980 in the northern FRG.

-- Certain Rampart was notified August 22, 1980 by the FRG, August 25, 1980 by the US and August 28, 1980 by Canada. A 40,000 man maneuver with troops from the US, the FRG, Belgium and Canada, it was held September 15 - 24, 1980 in the area south of Nurnberg in the FRG.

-- St. Georg was notified August 25, 1980 by the FRG. A 44,000 man maneuver with troops from the US and the FRG, it was held September 15 - 24, 1980 in the FRG.

-- Certain Encounter was notified August 21, 1981 by the FRG and August 24, 1981 by the US. A 70,000 man maneuver with troops from the UK, the FRG and the US, Certain Encounter was held September 14 - 23, 1981 in the FRG.

-- Scharfe Klinge was notified August 24, 1981 by the FRG and August 25, 1981 by Canada. A 48,000 man maneuver with troops from the FRG, the US and Canada, it was held September 14 - 18, 1981 in the Schwabische Alb region of the FRG.

-- Crisex-81 was notified on October 1, 1981 by Spain. A 32,000 man maneuver with Spanish and US forces, it was held October 26 - November 4, 1981 in Spain. Spain was not a member of NATO at the time, but had signified its intention to join the NATO alliance.

Warsaw Pact States

-- The USSR notified an unnamed maneuver of 30,000 Soviet troops June 19, 1980 held in the GDR July 10 - 16, 1980.

-- Brotherhood-in-Arms 80 was notified August 13, 1980 by the GDR. A 40,000 man maneuver with troops from the Warsaw Pact countries, it was held September 4 - 12, 1980 in the GDR.

-- Zapad-81 was notified August 14, 1981 by the USSR and held September 4 - 12, 1981 in the USSR. No strength for participating troops was provided in the notification. TASS subsequently reported that 100,000 personnel took part.

-- Druzhba-82 was notified on January 4, 1982 by Czechoslovakia. A 25,000 man maneuver with troops from Czechoslovakia, the USSR and Hungary, it was held January 25 - 30 in Czechoslovakia.

Neutral and Non-Aligned States

-- Cresta was notified September 8, 1981 by Switzerland. A 25,000 man maneuver by Swiss troops, it was held October 12 - 22, 1981 in Switzerland.

PRIOR NOTIFICATION OF SMALLER SCALE MANEUVERS

Since the last Commission report, the NATO states have continued to implement many of the discretionary CBMs by giving notice of certain smaller-scale maneuvers which involve fewer than 25,000 men. The only Warsaw Pact state to give notification of a smaller-scale maneuver was Hungary in 1980. Sweden was the only neutral or non-aligned state to notify a smaller-scale maneuver during the reporting period.

NATO States

-- Teamwork 80 was notified August 26, 1980 by Norway. A 16,800 man maneuver with troops from the US, the UK, the Netherlands and Norway, it was held September 18 - 24, 1980 in central Norway.

-- Marne 80 was notified September 26, 1980 by France. A 17,000 man maneuver by French troops, it was held October 6 - 10, 1980 in France.

-- Cold Winter 81 was notified February 19, 1981 by Norway. An 11,000 man maneuver with troops from the UK, the US, Norway, the Netherlands and Canada, it was held March 13 - 18, 1981 in northern Norway.

-- Barfrost 81 was notified in August 1981 by Norway. A 9,000 man maneuver with troops from Norway and Canada, it was held September 18 - 23, 1981 in the Noorland/Tromso area of Norway.

-- Amber Express was notified August 28, 1981 by Denmark. A 22,000 man maneuver with troops from Denmark, Belgium, the FRG, Italy, Luxembourg, the Netherlands, the UK and the US, it was held September 20 - 25, 1981 in the Zealand islands of Denmark.

-- Red Claymore was notified September 9, 1981 by the FRG and September 10 ,1981 by the UK. A 22,500 man maneuver with UK troops, it was held October 1 - 23, 1981 in the FRG.

-- Cross Fire was notified September 21, 1981 by the FRG. A 21,000 man maneuver with troops from Belgium and the FRG, it was held October 12 - 24, 1981 in the FRG.

Warsaw Pact States

-- Dyna-80 was notified August 22, 1980 by Hungary. An 18,000 man maneuver with troops from Hungary and the USSR, it was held August 23 - 30, 1980 in Hungary.

Neutral and Non-Aligned States

-- Norrsken was notified January 28, 1982 by Sweden. A 23,000 man maneuver by Swedish troops, it was held March 1 - 10, 1982 in Sweden.

EXCHANGE OF OBSERVERS

The Final Act does not require that observers be invited to maneuvers for which notification is made, nor is there a requirement that all CSCE signatories be included when invitations are extended. However, signatory states are encouraged by the Act to issue such invitations. Over the past years, the NATO and the neutral and non-aligned states have pursued a liberal policy in extending invitations to observers, and in providing opportunities to understand and follow the maneuvers. Observers have been provided fixed and mobile observation posts, binoculars, escorts, means of transportation, telephone liaison with their embassies, visits to the exercise area, contact with command posts and opportunities to ask questions. By contrast, Eastern countries only occasionally invite observers to major maneuvers and never to smaller maneuvers. Furthermore, on more than one occasion, they have invited only observers from other members of the Warsaw Pact, a practise which does nothing to increase confidence between opposing military forces. When Western observers do appear at Eastern maneuvers, they are received cordially and hospitably, but encounter serious obstacles observing the actual maneuvers.

Since the signing of the Final Act, NATO members have invited observers to 16 of their 21 major military maneuvers. They have invited all signatories to all the major military maneuvers during this review period, since August 1980: Spearpoint (1980), Certain Rampart (1980), St. Georg (1980), Certain Encounter (1981), and Scharfe Klinge (1981). Of the seven smaller scale maneuvers, NATO countries issued invitations to balanced and representative numbers of observers from CSCE countries on two occasions: Teamwork 80 (1980) and Amber Express (1981).

Warsaw Pact states have invited observers to seven of their fifteen military maneuvers, though in some cases, such as Zapad 81, only observers from Warsaw Pact states were invited. Since August 1980, Zapad-81 was the only Eastern maneuver of any size to which any observers were invited.

Among the neutral and non-aligned states during this period, invitations for observers were issued in connection with only one of the three exercises notified: Norrsken (1982).

PRIOR NOTIFICATION OF MAJOR MILITARY MOVEMENTS

The Final Act includes a provision that signatories "may at their own discretion" give notification of their major military movements. No signatory state had given notification of a major military movement not associated with a maneuver. Some NATO and neutral or non-aligned states, have, however, provided information on movements in the context of certain maneuver notifications.

EXCHANGE OF MILITARY VISITORS

Signatory states are encouraged under the category of "other confidence-building measures" to promote exchanges among their military personnel, including visits by military delegations. There are many on-going programs of this type between the armed forces of the United States and the NATO allies, as there are among the Warsaw Pact nations. There are fewer instances of exchanges between East and West, although an example during the period of this review included a port visit by the ships U.S.S. Dale and U.S.S. Donald B. Beary from June 23 - 26, 1980, to Constanta, Romania, during which U.S. Navy officers called on a number of Romanian officials. In March 1981, a delegation from the U.S. National Defense University visited Hungary, Romania and Yugoslavia, and U.S. naval vessels again called at Constanta during June 2 - 6, 1981.

QUESTIONS RELATING TO DISARMAMENT

The Final Act makes no provisions for arms control negotiations but does express the belief of the signatories in the necessity for effective arms control. During the period covered by this report, the United States and/or its allies and the Soviet Union and members of the Warsaw Pact participated actively in a variety of arms control negotiations with CSCE signatories, as well as other states.

The United States and those NATO allies who participate in the Mutual and Balanced Force Reductions (MBFR) negotiations in Vienna, tabled a comprehensive draft treaty for the first time since the start of the talks on July 8, 1982. The Western proposal calls for a single phase agreement requiring all direct participants to reduce the size of their ground forces stationed in Central Europe to a common collective ceiling of approximately 700,000 ground forces, 900,000 ground and air force personnel combined. This initiative, part of a comprehensive review of strategic policy by the Reagan Administration, is based on a single agreement in which all parties would undertake from the outset to reduce their forces in stages to equal ceilings. The initiative takes account of a number of Eastern concerns.

In conjunction with a NATO decision of December 12, 1979, the United States, in close consultation with its NATO Allies, proposed to the Soviet Union to begin negotiations on arms control involving Long Range Theater Nuclear Forces. The Soviet Union initially rejected the U.S. offer, but in July 1980 agreed to drop preconditions which had blocked initiation of preliminary discussions. These preliminary discussions were held by U.S. and Soviet delegations in Geneva during October 1980. Subsequently, on November 30, 1981, the U.S. and USSR began negotations on Intermediate-range Nuclear Forces (INF). The United States tabled a draft treaty which would eliminate all longer-range land-based INF missiles, the systems of greatest concern to both sides. During the same period, the United States, in concert with its NATO Allies, implemented other aspects of the decision of December 12, 1979, including the publicly-announced unilateral withdrawal of some 1,000 nuclear warheads from Europe.

In multilateral discussions and exchanges at the United Nations and in the Geneva-based Committee on Disarmament, the United States continued to promote greater adherence to existing arms control agreements and progress on ongoing negotiations. The Committee on Disarmament (CD) continues negotiations in a working group established to negotiate a convention banning radiological weapons. A CD working group was also established in 1980 on chemical weapons, and under a mandate revised in 1982, is "elaborating" a CW convention. A CD working group to reach effective arrangements on security assurances to non-nuclear-weapon states, established in 1979, has continued its work, and a working group to draft a comprehensive program of disarmament forwarded a draft text for consideration at the Second Special Session on

Disarmament of the United Nations General Assembly, held in New York in June and July 1982. All member states, including CSCE nations, participated. Unable to complete its deliberations, the General Assembly has requested the CD to submit a revised comprehensive program for disarmament to the 38th U.N. General Assembly Session. In the meantime, and as a result of the conference, a world disarmament campaign was begun under U.N. auspices to promote awareness and concern about the arms race.

At the Madrid Review Conference, the thirty-five nations discussed a French/NATO proposal for a subsequent two-phase conference by the Helsinki countries to negotiate effective, new CBMs and eventually a reduction of armaments. This initiative remains one of the focal points of the Madrid meeting.

The Soviet Union and the United States also began, in June 1982, Strategic Arms Reduction Talks (START) as a follow-up to the SALT negotiations of the 1970's. It continues to be U.S. policy to refrain from actions which would undercut existing strategic arms agreements as long as the Soviet Union shows equal restraint. The Reagan Administration's proposal called for major reductions in existing strategic forces, with a focus on ballistic missiles, particularly ICBMs, the most potentially destabilizing systems.

Soviet initiatives during this period, such as the offer to freeze new deployments of the SS-20 intermediate range missile, the support for a nuclear freeze, unilateral reductions in forces, and a no-first-use pledge for nuclear weapons, have generally been rhetoric unmatched by deeds or claims which cannot be supported by Western verification. President Reagan has decided to seek changes in the unratified Threshold Test Ban Treaty, signed in 1974, and the Peaceful Nuclear Explosions Treaty, signed in 1976, that would strengthen protections against violations and enhance verification.

A chief concern of the United States in this area relating to disarmament has been the unprecedented Soviet expenditure on armaments -- the largest military build-up the world has ever seen. As a result the United States and its allies have undertaken steps to maintain adequate levels of military strength and modernization and to restore the military balance by making small percentage increases in military budgets, while continuing to stand ready to negotiate to achieve substantially lower levels of armaments on both sides in an effort to enhance mutual security between East and West.

CONCLUSION

The violation of the Helsinki Final Act by the Soviet Union and its allies in regard to the institution of the martial law regime in Poland was a serious setback to the goals of mutual peace, security and cooperation in Europe pledged by the 35 signatories in 1975. All Western, neutral and non-aligned states have implemented the Declaration of Principles as integral aspects of their normal dealings in the international sphere. The Soviet

Union -- by its continued illegal occupation of Latvia, Estonia and Lithuania, its invasion and occupation of Afghanistan, its culpability in the institution of Polish martial law, the crushing of the Solidarity labor union and the subsequent human rights violations in Poland and at home -- has continued to show contemptuous disregard of its commitments under the Basket I provisions in the Final Act.

This finding mirrors that of the previous implementation report issued by the Commission on August 1, 1980. Since that time, the Soviet Union has additionally failed to abide by the CBM regime by staging two massive military maneuvers during a time of European tension. The United States is determined to fulfill the great hopes and promise of the Helsinki Final Act, but it does insist, along with other CSCE nations, on the implementation of the Act's principles, as the U.S. Secretary of State told the assembled signatories in Madrid at the plenary session on February 9, 1982. "Otherwise," he said, "the Helsinki Final Act and the process of reconciliation, which it symbolized, will be seriously, perhaps irreparably, damaged."

CHAPTER THREE - BASKET I
(Principle VII: Human Rights)

Introduction

"Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief" represents the heart of Final Act promises on human rights. Signatory states are pledged to "promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms...without distinction as to race, sex, language or religion."

Not only are Helsinki states expected to respect this broad range of rights, but, in Principle VII they also ascribe to the notion that all these rights "derive from the inherent dignity of the human person." Thus, Principle VII explicitly recognizes that it is the individual and not the state which is the final arbiter, and primary source, of all basic human rights. Principle VII also provides rather specific guidelines on such important problems as the rights of religious believers and the status of ethnic minorities.

Principle VII also commits Helsinki signatories to "confirm the right of the individual to know and act upon his rights and duties in this field" (of human rights), thereby providing specific authority for private individuals and groups such as the Helsinki Monitors to evaluate the actions of their governments in fulfilling the provisions of the Final Act.

At the same time, Principle VII has become an international code of conduct to which all CSCE states are obliged to adhere. Under this code they are also obliged to assure the observance of the other states. No country has a perfect record, but a willingness to admit shortcomings and take corrective actions are essential first steps which all participating states are bound to take to fulfill their Helsinki commitments. The failure of the Soviet Union and most of its allies to take those steps can only serve to weaken the CSCE process and detente in Europe.

HUNGARY

Hungary continues to have a relatively positive record in the implementation of Principle VII -- explained in part by a general reluctance of the population to challenge the regime. However, several developments during the last two years have highlighted the tenuous nature of the social and political calm which has seemed to characterize the country. Foremost among these has been the liberalizing events in Poland which received expressions of support in Hungary. The authorities in Budapest reacted with firm warnings and at the same time, there have been ideological disagreements between the church hierarchy, supported by the State, and nonconformist priests and lay believers led by Father Gyorgy Bulanyi. All of this suggests that Hungarians are beginning to exercise more boldly the rights guaranteed to them under Principle VII of the Final Act and this course of action is leading to more repressive counter steps by the authorities.

Civil and Political Rights

Relative tolerance of dissident activities may be thought of as the norm in Hungary, but recent events suggest rising political and social discontent, especially among the intelligentsia and the youth. Official public warnings have increased, calling for restraint "within accepted bounds."

The activities of Solidarity led to several incidents wherein Hungarians were denied permission to travel to Poland to express their support for the free labor movement. Hungarian officials and press organs sharply denounced all Solidarity activities, especially the call for free trade unions in all of Eastern Europe. Policemen harassed those wearing Solidarity buttons and prohibited travel for many others.

During the December 12 - 13, 1981 meeting of the Hungarian Writers' Union, in reaction to growing dissent within this group, Deputy Minister Georgy Aczel clearly urged continued acceptance of the limits of dissent established 25 years ago. He is quoted as stating: "Our policies are inclined toward tolerance and intelligent patience because these are in the interests of the country and the people. It is no good if this patience is misunderstood and if it is answered wth provocative intolerance." Miklos Haraszti, a leading Hungarian dissident, reacted by stating that "calculated tolerance forced on the regime is the Kadarist tolerance. The regime even in its most tolerant mood will not go that far that it would permanently allow movements which cannot be monitored with ease."

In that vein, the Young Writers' Jozsef Attila Circle, which had been clamoring for less self-censorship and greater freedom of expression, was suspended in March 1981, only to be reactivated several months later under strict guidelines with the requirement that all its members sign a loyalty oath to the regime. This action alone indicates a departure from past practice in resolving differences with the intellectual community. At the same time, possible growing intellectual dissent can be seen in the increased distribution of high quality samizdat materials critical of the regime.

In the beginning of 1981, a book of essays written by 77 Hungarian intellectuals, dedicated to Istvan Bibo, Minister of State in the government of Imre Nagy during the 1956 Hungarian Revolution, was refused publication because it contained some negative comments about the current political situation in Hungary. Some essays contested the legitimacy of the Communist Party rule and Soviet domination of Eastern Europe. The Bibo Memorial Anthology is significant, not only for the unorthodox statements made, but because many of the contributors are among the most important writers officially published in Hungary today. The direction and focus of these writings suggests that there is a growing "second public opinion" which is no longer willing to refrain from challenging the basic premises of the political system in exchange for economic benefits as was tacitly agreed when Janos Kadar consolidated power in 1963.

Some of the statements in the Bibo Memorial Anthology illustrate the new trend:

Gyorgy Konrad, author of an essay entitled "In the Threshold of the Third Era of Reforms" states that:

> There are very few healthy people in Hungary today, almost all of us display the symptoms of neurosis inflicted by 'lies'...

Sandor Szilagyi, the youngest of the book's authors, states that:

> Sometime, in a less hysterical political atmosphere we will be able to address the schedule of the withdrawal of Soviet troops.

Mihaly Vajda comments on the Bibo Anthology and on the much-heralded economic policy in Hungary:

> Economic rationality (economic democracy) without adequate democratic political structure is only a vain fantasy...The economic reforms are doomed to failure if they are not accompanied by political reforms.

The growth of samizdat, or underground, publications provides additional evidence of a new willingness on the part of some Hungarians to dare to speak out against actions of their government in accordance with their rights under the Helsinki Final Act. Examples of published samizdat include Profil, published by Janos Kenedi and the quarterly publication, Tisugo. In October 1981, the samizdat publication, Beszelo, was published with a run of 1,000 copies. This publication is significant because it includes expressions of internal dissatisfaction generally unknown to the Western public. It is also a reflection of intellectual dissent among members of Hungary's unacknowledged opposition, including persons whose work is also published in the offical media.

In the introduction to Beszelo, the editors state their intention to provide material and interpretations of ideas not reflected elsewhere. Some areas covered include labor strikes, censorship of official publications, independent religious groups, student organizations, personal and group activities aimed at helping ethnic Hungarian populations in neighboring countries, and the situation of "lonely truth seekers who cannot resign themselves to the fact that those in power are stronger..."

Beszelo's stated editorial policy is to help "the quietly rumbling masses of people, about whom the two tiny minorities of the country's leadership and the opposition are engaged in loud arguments, to form a better picture of itself."

Psychiatric Repression

One of the most alarming issues raised in Beszelo is the psychiatric repression brought against political opponents of the current regime. Two such cases, those of Karoly Jakab and Tibor Pakh, are described in detail in Beszelo.

Karoly Jakab has been a political opponent of Communist rule since 1945. After the defeat of the 1956 Revolution, he refused to accept the Kadar government's decree that political parties other than the Communist party were illegal. Following a series of warnings and minor punishments, he was arrested in 1974 for "incitement." Subsequent trials and jail sentences ensued. In 1978, Jakab was indicted again, declared mentally incompetent after a 20-minute exam by a psychiatrist in the company of two policemen, and ordered to receive compulsory psychiatric treatment. His crime was writing letters insulting the authorities. The author of this account, a well-known leader in the dissident community, Miklos Haraszti, asserts that in any Western democratic country, this man would never be found mentally incompetent.

Unwilling to accept this trumped-up judgement, Jakab went to the National Institute for the Treatment of Nervous and Mental Disorders in Budapest and voluntarily subjected himself to testing. This prestigious institution not only found Jakab mentally competent but a person of a highly developed intellect. No additional information on Jakab's current status is available.

The case of Tibor Pakh appeared in the second issue of Beszelo in January 1982. Pakh's opposition to the Kadar regime is well-documented. He previously had provided the United Nations with a list of Hungarians under the age of 18 who were executed for participating in the 1956 revolution. Pakh, in this instance, apparently started a hunger strike in a Budapest church to win permission to travel to Poland. Several times in the past Pakh had been declared insane for persisting in long hunger strikes and was subjected to electric and insulin shock treatment. In his recent brush with the law, Pakh was declared insane "by reason of a negative attitude toward nourishment." He was treated with haloperidal, which is used in the West only for the treatment of cases of extreme mental illness such as manic-depressive psychosis and schizophrenia.

The Beszelo articles cover a wide range of other issues documenting internal dissent in Hungary. One group which seems to be ever more present in activist criticism is comprised of university students and young writers. One article describes the technique by which education officials limit discussion of student involvement in educational policy and participation in politics. Another provides a detailed review of censorship and cultural control in Hungary. Documents pertaining to the 1956 Hungarian Revolution, discussions on the comparison of martial law in Poland with the events in Hungary in 1956, and the fledgling pacifist movement in the GDR are also included in this remarkable underground publication.

In the second issue of Beszelo, one of the topics included was a dissident's impression of Western press treatment of Hungary. Western coverage was criticized for its shallow interpretation of a system that, whatever it has accomplished, has done so at the expense of those who made sacrifices in 1956. The dissident author challenges the press to use Western criteria when analyzing Hungary. When Gyula Illyes, the grand old man of Hungarian letters, commented that all his manuscripts were first reviewed by the leading officials of the party and government, Western reporters ignored his main point -- that no Western writers of his stature would be required to submit their texts for government approval.

Religious Rights

The traditional religious groups in Hungary have faced a profound crisis over the last few years. The accommodation policy with the State which has been supported by Church leaders has left a bitter taste among religious believers who feel the Church should regain its independence from the State.

The current Primate of Hungary, Cardinal Lekai, reached an agreement with the secular authorities in 1976 which permitted some relaxation in Church affairs in return for an arrangement under which the State would approve the appointment of all high level church officials. In exchange for allowing churches to function openly, and for some religious education of children, the state maintained control of Church appointees. Licensing of priests and other appointments must be channeled through the office of Imre Miklos, Director of the State Office of Church Affairs. The State partially pays the priests' salaries, censors all religious periodicals in Hungary, and provides for some upkeep of churches. In the past few years, some concessions have been granted the Church including three-year correspondence courses for lay catechists, the opening of an old folks home for Catholics and permission to open a center for spiritual retreat near Budapest.

Over the last two years, the rising number of religious opponents to State control has grown more vocal. Catholics, who comprise two-thirds of the country's population, have begun rejecting the principle of "allegiance to the state" when it runs contrary to religious teachings. Furthermore, increasing refusal by religious community members to perform mandatory military service has created a grave challenge to the atheistic government. According to the writings in Beszelo II and III, six of these conscientious objectors recently were tried and sentenced to 16-32 months in prison or declared mentally ill. Five of those receiving sentences include Imre Besze, Istvan Pinter, Bela Simonyi, Gabor Csizmadia and Jozsef Mezes, Jr. The sixth, Dr. Jozsef Mezes, Sr., at the age of 49 refused to be drafted and was subsequently declared mentally ill.

According to Dr. Leslie Laszlo of Concordia University in Canada, as early as 1972, there were as many as 4,000 religious base communities in Hungary. These small offshoots of the traditional parish concept were developed in an effort to promote greater religious expression at the grass roots level. Some of these base communities developed merely to enhance understanding and expression of their faith beyond the limits permitted by the church and state hierarchies.

The most prominent leader of the "evangelical" base communities is a 70-year-old priest from Budapest, Father Gyorgy Bulanyi, whose new theology censures the Bench of Bishops of the Church hierarchy for "collaboration" with an atheistic secular communist regime. The Church hierarchy, according to Bulanyi, is more concerned with filling appointments than administering the sacraments and instructing children according to the teachings of the Gospel. In this respect, the base communities that support Bulanyi's theory hold weekly or bi-weekly meetings to study the Bible, pray and sing together, encourage each other in their faith and aid in spiritual enrichment.

This challenge to both the Church hierarchy and the State has caused considerable alarm. Cardinal Lekai has denounced the Bulanyi followers for requesting exemption from compulsory military service and, in turn, has angered Catholics even further for siding with the communist regime rather than accepting the lead from the Vatican endorsing the concept of conscientious objection.

While it is recognized that Lekai's accommodation policy has helped the Church in some respects, this current rift between the Cardinal and the base communities is viewed as a serious setback for the Church in Hungary.[3] State authorities still refuse to revive the status of religious orders formerly active in Hungary and have revised the State school system making it more difficult for children to receive religious instruction in parish churches.

Meanwhile, the Pope has urged the Bishops to take up the cause of individual believers, and has called for increased religious activism rather than political confrontation. Despite the Pope's urgings, the Bench of Bishops, in June 1982, took formal action against Father Bulanyi. Previously, Bulanyi had submitted his writings to the Sacred Congregation of the Faith in Rome for review and no trace of heresy was found. In initiating their action, the Bench of Bishops chose to deny Bulanyi the right to say mass, preach or administer the sacraments. Cardinal Lekai has also purged the seminary of Bulanyi supporters, thus further reducing the number of priests. Already there appears to be a net decrease of about 50 priests per year.

Bulanyi followers now fear that Lekai's accommodation policy will help the state in achieving its goal of eliminating religion as an independent factor in Hungarian life.

Ethnic Rights

There is no problem of ethnic minority rights in Hungary, but there is concern about these rights for Hungarians living abroad.

According to George Schopflin, in his publication "Hungary Between Prosperity and Crisis," Hungarians are most concerned about the fate of the large Hungarian minorities in Romania and Czechoslovakia. These minorities have linguistic and cultural ties with Hungary and are believed to be subjected to intensive denationalization pressures. The position of the Hungarian communist leadership is somewhat ambiguous on this issue since to champion all the national aspirations of the Hungarians risks conflict with the leaderships of Romania and Czechoslovakia, not to mention the Soviet Union. Recent *Beszelo* essays sharply criticize the Hungarian government's perceived lack of interest in the representation of basic nationality rights of these Hungarians living in Romania and Czechoslovakia.

POLAND

Introduction

In previous reports, the Commission traced slow, but encouraging movement in the People's Republic of Poland toward fuller compliance with the Final Act's human rights provisions. Since the last Commission report in 1980, the dramatic rise of the Solidarity movement under the leadership of Lech Walesa ushered in an unprecedented period of opportunities for the exercise of a broad range of human rights and fundamental freedoms. The declaration of the "state of war" on December 13, 1981 by General Wojciech Jaruzelski and his Military Council of National Salvation (WRON) abruptly ended all that. The full-scale violation of individual and collective liberties under martial law has destroyed the unprecedented gains made during the previous two years.

The Renewal Period (August 1980-December 12, 1981)

In the summer of 1980 the spontaneous and non-violent workers' strikes that spread throughout Poland resulted in the historic agreements of Szczecin, Gdansk and Jastrzebie-Zdroj (signed on August 30, 31 and September 3, respectively) between the Polish Government and the Interfactory Strike Committees (MKSs). The worker demands accepted by the Government not only reflected traditional labor concerns over wage levels, working conditions and the standard of living, but also legal guarantees for fundamental human rights such as the freedoms of association, expression, religion and conscience. Under the Gdansk Agreements, the strikers won the right to establish self-governing trade unions independent of the Party and the Government, the right to uncensored information and increased access to the media for religious purposes. The Polish workers also secured the release of political prisoners, most of them members of the Workers' Defense Committee (KOR), Movement for the Defense of Human and Civil Rights (ROPCO), and Confederation for an Independent Poland (KPN). Significantly, the Szczecin Agreements also included the obligation of the Polish Government to re-publish the texts of the Helsinki Final Act and the international Covenants on Civil and Political and Economic, Social and Cultural Rights. Thus the foundation of the Solidarity movement was solidly based on the Helsinki Accords and other international human rights agreements.

The ensuing period of national renewal in Poland was characterized on the one hand by the growth and consolidation of the Solidarity movement into a powerful social force for a freer and more open society, and on the other by the Polish Government's efforts to limit, control and ultimately to destroy the movement.

The independent free trade union federation *Solidarnosc* (Solidarity) obtained legal status on November 10, 1980 and quickly grew in membership to approximately ten million members. Solidarity's example led to the formation of other free unions, such as the Independent Students' Union and Rural Solidarity. Strengthened by the election of a Polish Pope, the Polish Catholic Church, which prior to August 1980 had been the strongest champion of social justice, fully associated itself with the Solidarity movement's humanitarian objectives. At the same time, the *modus vivendi* between Church and State that had been developing in Poland in the years since the signing of the Helsinki Final Act continued to evolve. As the workers' movement grew, the Church increasingly served as intermediary between Solidarity and the Government in an effort to preserve social peace, defend human rights and safeguard national sovereignty.[4] At the same time, the activities of the Church itself were permitted greater freedom. Sunday mass was broadcast live on national radio, and events of religious interest, such as the funeral of Primate Wyszynski and the activities of the Pope, were given wide coverage.

The newly-won freedoms of association and expression galvanized the Polish people into active participation in the renewal process. Vigorous public debate characterized discussion of the whole range of contemporary matters. Marches, rallies, demonstrations and strikes were not only allowed to take place but were given extensive media coverage. The new law on censorship and the entertainment industry, adopted by the Parliament in July 1981, was the product of eleven months of joint effort by various social and cultural groups, including Solidarity and the Polish Journalists Association. The new law drastically revised the entire system of censorship. Although the new legislation maintained the principle of prior government censorship of mass media, its application was restricted to specifically-defined areas such as material dealing with the territorial integrity of Poland, its

Constitution, foreign policy or alliances. Previously censorable items such as textbooks, academic theses, church publications and internal information bulletins issued by labor organizations were exempted entirely from censorship. An appeal mechanism was provided in the event of negative decisions by censorship boards.

Despite progress on other fronts, the degree of Solidarity's access to the mass media remained a point of contention between the union and the govenment throughout the renewal period.[5] Nonetheless, Solidarity and its affiliates were permitted to publish six weeklies and one bi-weekly and to circulate internal bulletins, flyers and posters. Although some Solidarity publications, including the weekly national organ "Solidarnosc Tygodnik," occasionally encountered difficulties with censorship boards, in at least one instance a regional Solidarity publication successfully contested a negative ruling in court. However, journalists working within the official media who adopted too liberal a line or opposed Government and Party views sometimes were dismissed.

The tempestuous currents of national renewal swept freely through the universities. The month-long student strike of February 1981 ended with government agreement to initiate academic reforms in higher education. As a result, freedom of academic inquiry was greater than ever before in the history of the Polish People's Republic. Students had more freedom of choice about their courses of study, and new rectors, many of them members of Solidarity, were elected by the universities rather than designated by the authorities. Many instructors who had been dismissed for political reasons were re-instated. Subjects previously considered taboo were introduced into official curricula.

The renewal period also saw a significant decrease in human rights abuses. This was not due to any greater respect by the authorities for constitutional guarantees nor to any deepened commitment on their part to international human rights obligations, but was the result of the regime's grudging recognition of the sheer strength of the Solidarity movement. However, human rights groups such as KOR, ROPCO and KPN remained targets of repression. The authorities were particularly infuriated that KOR members provided much of the intellectual and organizational leadership for Solidarity in articulating and organizing protests in defense of human rights in factories, universities and neighborhoods and by serving as contact centers and advisors to the strike committees. In January 1980, KOR formed its own Helsinki monitoring committee which prepared a detailed report on violations of human rights in pre-Solidarity Poland[6] for presentation to the Madrid CSCE Review Meeting. The coordinator of the report, Zbigniew Romaszewski, continued Helsinki monitoring work under the auspices of Solidarity's Information and Consultation Center on Matters of Repression, established in 1981.

Early in the Solidarity period, the government sought to drive a wedge between KOR dissidents and workers. KOR leaders sociologist Jacek Kuron and historian Adam Michnik were libeled by the official press as "anti-socialist." In March 1981. KOR was the target of anti-Semitic attacks in unofficially circulated leaflets and the official Army daily Zolnierz Wolnosci. On September 28, 1981 economist and founding member of KOR's Helsinki Monitoring Committee Edward Lipinski announced the dissolution of KOR. In the final declaration dated September 23, 1981,[8] KOR members wrote:

> We believe that whoever in the past supported the aims of the Workers' Defense Committee and later the Social Self-Defense Committee "KOR" should today, in keeping with his skills and knowledge, support "Solidarity" and act within its ranks or in its support. We believe that the public today is ready to participate in changes in our country, devastated by totalitarianism, corruption and the lawless acts of the authorities. We believe that today, at the time of the First Congress of "Solidarity" and the first democratic elections of Solidarity officers, the struggle for the renewal of the Polish Republic must be entrusted to it."

On November 22, 1981, the first meeting of a new organization conceived by Kuron, "Clubs of the Self-Governing Republic -- Freedom, Justice and Independence," was broken up by the police but no arrests were made.

Lezcek Moczulski, leader of the Confederation for An Independent Poland (KPN), the most nationalistic opposition group, was arrested during the time of the August strikes but was released in accordance with the strike settlements. On September 23, 1980, Moczulski was re-arrested for "anti-State activity" in connection with an interview he gave to the FRG monthly news magazine Der Spiegel. The following summer, 1981, Moczulski and other KPN activists who had been arrested between September 1980 and January 1981 on similar charges, were freed pending trial on condition they would refrain from political activity. On July 9, the Supreme Court ruled that the accused had defied the court order to refrain from political activity and ordered the men re-arrested.

Despite these setbacks Solidarity managed to win legal status for itself and other organizations and reached agreement with the government on wage increases and working conditions. It also secured an equal voice for workers in decisions on hiring and firing of directors in all but strategic enterprises. However, these and other concessions were not offered willingly and the authorities desperately tried to check the popular reform movement and to set limits beyond which it could not go. Heightened social strife inevitably resulted.

In March 1981, Solidarity called a general strike in response to a brutal police attack against a group of rural strikers in Bydgoszcz. The strike provoked a show of force by the Polish Government and took place against the ominous backdrop of Warsaw Pact maneuvers near Poland's borders. An eleventh-hour settlement averted the general strike, but the crisis showed that the prospects for achieving genuine social accord in Poland were not promising.

Along with the growth of tension between Solidarity and the Polish Government there was a marked deterioration in the economic situation. By the summer of 1981, there were a number of public demonstrations over food shortages and numerous strikes to protest government delays in implementing management and other reforms. Solidarity was villified by state and party officials for exascerbating the economic difficulties and causing social tensions. In October, the Vice-Minister for Internal Affairs reported that 50 investigations of individuals allegedly engaged in anti-Soviet propaganda were underway. Solidarity leaders and others were arrested for disseminating literature that "insulted, derided and humiliated the government and the political system of the Polish People's Republic."

Increasingly, retrenchment began to eclipse reconciliation as the regime's response to challenges presented by Solidarity. In mid-November, Solidarity and the Government began unsuccessful talks on the formation of a Front of National Unity. The government eventually suggested new laws on economic reform, trade unions and university rights which were unacceptable to Solidarity. On November 28, 1981, the Party Central Committee passed a resolution calling for legislation to give the government extraordinary powers to protect the state and its citizens against opponents of socialism and to deal with social and economic problems. On December 2, approximately 1,000 riot police stormed the Firefighter Officers Academy in Warsaw to put down a students' sit-in strike. At their meeting in Radom on December 3, Solidarity's National Presidium and regional chairmen issued a statement saying that "The events of recent weeks indicate that the government has chosen the way of force and rejected the possibility of a dialogue with society." The Radom meeting also rejected a government move to delay the new law on worker self-management and called the state's move "an attempt to eliminate the workers' and civil rights that had been achieved in 1980." At the same time, the Solidarity leaders at Radom drafted a number of proposals of their own including a provision for independent candidates at local council elections scheduled for February 1982. Radom also proposed a referendum be called to assess public confidence in the government.

At its National Commission meeting held in Gdansk on December 11 - 12, the Solidarity leadership decided to call a general strike in the event Parliament should enact the expected emergency legislation. However, on the night of December 12 - 13, almost all of Solidarity's national leadership was arrested. Lech Walesa was placed under house arrest. Throughout Poland, Solidarity leaders, members, advisors and supporters were arrested, as were members of oppositionist groups. Ex-First Secretary of the Polish United Workers' Party Edward Gierek and other former political leaders also were interned.

Martial Law

The imposition of martial law in Poland constitutes one of the most direct and massive violations of the Helsinki Final Act since the Act was signed in 1975. The suspension or restriction under martial law of the rights of personal immunity, the inviolability of residences and the freedom of correspondence, association, speech, publications, meetings, rallies, public marches and demonstrations also runs totally contrary to the Constitution of the Polish People's Republic, the Universal Declaration of Human Rights, the International Covenants on Civil and Political and Economic, Social and Cultural Rights and the International Labor Association Conventions.

Along with the wholesale abrogations of individual rights and freedoms, martial law indefinitely suspended Solidarity and all other independent unions and organizations. For union activity, public demonstrations and travel without papers, there are sentences of three to five years. Should any of these actions be committed with "malicious intent," the offender can, in addition, be deprived of his civil liberties. Participation in a strike is a punishable offense. Organizing a strike is subject to harsh punishment which can include the death penalty. The scope of other offenses carrying the death penalty has been widened by a Decree on Special Offenses During Martial Law. For the printing and distribution of unauthorized material, the offender can be sentenced with up to ten years' imprisonment.

Under martial law summary trial procedures have been made applicable to over a third of the sentences in the criminal code. Citizens prosecuted under summary procedure may be tried *in camera* without benefit of counsel and may be denied the right of appeal, unless capital punishment is imposed. Under martial law 60 percent of Polish industry has been put under military control. Employees in such enterprises who do not fulfill their duties are subject to court martial.

It is impossible to know the total number of prisoners of conscience who are in some form of confinement (simple internment in detention centers, pre-trial detention, imprisonment following sentencing) under martial law. The regime has obstructed efforts of the Catholic Church and the International Red Cross to count these political prisoners or to compile accurate lists of their names. Furthermore, new arrests are made constantly. Efforts to keep track of individuals are frustrated by the regime's transfers of prisoners from one place of detention to another. Much publicity has been given to the releases of internees in a series of cosmetic "relaxation" measures by the regime. However, freed internees frequently are re-arrested.

In October, regime press spokesman Urban announced that about 1,000 people were then under detention and convicted of martial law offenses and, in addition, about 700 internees remained in custody as of that time. Unofficial estimates are much higher. By mid-September, it was estimated that since the imposition of martial law, 30,000 people had been arrested and/or sentenced by summary military and civil tribunals to terms of imprisonment ranging from several months to ten years. More than 100,000 others are believed to have been subjected to short-term detention and fines. As of September, at least 4,000 Poles were believed to be in pre-trial detention and another 2,000 to be serving prison sentences. These numbers increased substantially with the massive arrests of strikers and protestors in the days following delegalization of Solidarity on October 9, 1982. In any case, internees represent a minority of Poland's burgeoning population of prisoners of conscience.

Persistent reports from credible sources attest to cruel and degrading treatment and conditions of confinement in some detention centers. These include routine beatings by riot police and the practice of placing internees with common criminals. Some internees allegedly have been sent forcibly to psychiatric hospitals. Independent inspection teams have reported generally humane conditions in the few facilities they have been permitted to visit, but they have not been able to get a complete picture of the confinement conditions existing elsewhere.

Lech Walesa, initially held under house arrest, was imprisoned until his release in November 1982. He had been held in separate custody and moved from one detention place to another. Few of the other top Solidarity activists and advisors have been released -- a good indication that, like Walesa, they have refused to cooperate with the regime.

Under the constant threat of severe penalty, Poles nevertheless have engaged in passive and active forms of resistance since December 13. Solidarity leaders who escaped initial internment went into hiding and established an underground Temporary Coordinating Committee (TKK), comprised of five regional leaders. This group now serves as the highest authority of the union. Underground Solidarity activity includes aiding victims of repression, organizing strikes and protest actions, issuance of petitions and appeals, distribution of leaflets and posters, boycotts of martial law organizations and events, printing and circulating unofficial publications, organizing discussion clubs and free libraries, polling of union employees and collection of union dues. Solidarity cells exist in major factories, universities, scientific institutes, schools, hospitals and other institutions. The clandestine "Radio Solidarity" first went on the air on Easter Monday, April 12 in Warsaw. As of August 1, the radio had broadcast ten programs, and similar operations are reported to exist in other cities. Most ordinary citizens and professional people refuse to collaborate with the martial law council and its newly created front organizations such as Citizen Committees for National Rebirth (OKONs), the National Council of Culture and Cultural Development Fund, Factory Social Commissions, and the Journalists' Association of the PPR which replaced the reformist Polish Journalists Association.

The military regime has applied massive force to crush manifestations of popular resistance. The special riot police (ZOMO) have used tanks, small arms, clubs, tear gas, rubber bullets and water cannons to quell peaceful demonstrations and strikes. Hundreds, perhaps thousands, of citizens have been injured and at least twenty-eight deaths have resulted from police actions.

On December 16, 1981 at least twelve miners were shot and killed and scores of others were wounded when security forces stormed the worker-occupied Wujek coal mine in Katowice. The next day, riot police used force against unarmed workers striking in the Gdansk shipyards. Police violence was used again in Gdansk on January 31. In February, the authorities conducted a nationwide sweep for martial law violators. Approximately 145,000 people were stopped, and many thousand of these were subjected to short-term detention, fines or prosecution for misdemeanors. The next major outbreak of regime violence occurred on May 3, 1981, when ZOMO and regular police moved against thousands of demonstrators commemorating Polish Constitution Day, reportedly causing some fatalities. Mass demonstrations leading up to the second anniversary of the signing of the historic Gdansk Agreements on August 31 resulted in six known deaths at the hands of the security forces.

Since December 13, then, Poland has been gripped in a spiraling cycle of regime repression, popular resistance and regime reaction. The pre-martial law government has failed to come to terms with its disaffected and distrustful citizenry. The gulf between government and governed has widened in the grim months of martial rule by diktat and force.

Although regime repression in Poland is most visible in massive street confrontations, the impact of martial law is most widely felt in the workplace. "Verification" procedures under which employees are required to sign denunciations of Solidarity have been conducted in schools, universities, newspapers, mass media, civil and economic institutions and factories in order to purge politically suspect individuals and Solidarity activists and supporters. People dismissed by this process are effectively barred from future employment in state-controlled enterprises. To be without work under the catastrophic economic conditions now obtaining in Poland creates extreme hardships that are worsened by the ever-present threat of prosecution for "parasitism."

Under martial law, the Catholic Church has valiantly persisted in its attempts to promote social peace, justice and national conciliation. On numerous occasions, Church leaders have called for an end to martial law, the release of internees, amnesty for those charged with violating martial law and for those in hiding, an end to politically-motivated job dismissals, and the establishment of meaningful dialogue between Solidarity and the State. In his 1982 Easter address, Warsaw Archbishop Glemp announced the release of a document entitled, "Regarding Social Conciliation," which proposed new discussions between government, Church, Solidarity and a committee representing all other segments of Polish society. To provide balance, the document also chastised Solidarity for excesses in the pre-martial law period and called for recognition by all elements in Poland of "economic and geopolitical realities."

The Church's condemnations of the repression under martial law, which became particularly vehement in the wake of the regime's suppression of the August 31 demonstration, have drawn increasing fire from the authorities. Articles in the official press have accused clergymen of exacerbating societal problems in Poland. Nevertheless, the Church remains a vigorous and outspoken actor on the national stage to an extent unprecedented in other areas of Eastern Europe, even though its role has been somewhat cut back under martial law. The weekly religious broadcasts called for in the Gdansk Agreements were suspended on December 13, then resumed, but only on a twice-monthly basis, in late January. The Catholic lay organization PAX, which had evolved along more liberal lines during the renewal period, has reverted to a more reactionary stance. In January 1982, Ryszard Reiff was removed as Chairman of PAX and head of the Catholic parliamentary group (ZNAK) because he reportedly was the sole member of the Council of State to oppose the declaration of martial law.

The exhilarating winds of freer academic inquiry and social activism that swept through the universities in the renewal period have also been stilled. Universities were closed on December 13 and not reopened until February 8. Hard line ideological courses have been reinstated. Students and faculty are subjected to "verification" purges. Military commissars now oversee university administration. Freedom of assembly is no longer permitted. The Independent Students Union, suspended on January 5, has gone underground and engages in resistance activity.

In an attempt by the regime to find scapegoats for the deepening social impasse created by martial law, the authorities focused their fire on members of ROPCO, KOR, and KPN. On September 3, KOR co-founder Jacek Kuron and his colleagues historian Adam Michnik, physicist Henryk Wujec and mathematician Jan Litynski, the former editor of the underground journal Robotnik, -- all of whom had been interned since December 13 -- were formally arrested and charged with "preparing for the violent overthrow of the Polish socio-political system." If prosecuted they will be tried by a military court under summary proceedings which provide a maximum penalty of death for this offense. Arrest warrants have been also issued for some KOR activists living abroad -- chemist and former director of the NOWA unofficial publishing house Miroslaw Chojecki, and historian Jan Jozef Lipski. Despite the warrant, Lipski voluntarily returned to Poland from England and was arrested. The arrest of a seventh KOR member, Zbigniew Romaszewski, director of the clandestine "Radio Solidarity," was announced on August 31. On October 9, KPN leader Moczulski was given a seven-year sentence for plotting the overthrow of the regime. Other KPN activists, Romuald Szeremetiw and Tadeusz Stanski were sentenced to five years each. The fourth, Tadeusz Jandiszak, received a two-year suspended sentence for health considerations.

At periodic intervals, the authorities have announced so-called "relaxation" measures but no real net progress has been made toward a true lifting of the state of martial law or toward freeing prisoners of conscience. Despite the much-heralded releases of internees -- often conditioned on their agreement to emigrate -- the number of political prisoners has, if anything, grown. Curfews, shut-downs of internal telephone and telex communications, restrictions on movement inside Poland and abroad have been manipulated in an effort to build popular support for the regime.

For sometime, there had been ominous hints in the official press that Solidarity would be de-legalized at the upcoming October session of Parliament (Sejm). On October 8, the Sejm passed the legislation which outlawed all pre-martial law unions and laid out strict guidelines for the formation of factory-level bodies only. The bodies are to be independent of the state, but not the Party. The new law recognizes the right to strike. However, the possiblity for exercising this right is rendered negligible by a series of complex requirements for advance consultation and arbitration. In addition, a week's notice must be given before a strike can be called, and strikes in critical industries are categorically forbidden.

On the day after Parliament outlawed Solidarity, ten thousand workers gathered at the Gdansk Lenin Shipyard where they staged eight-hour sit-in strikes for two consecutive days. Massive street demonstrations ensued. Strikes also erupted in the port city of Gdynia. Three thousand steel workers marched in the southern town of Nowa Huta near Krakow and several hundred people demonstrated outside Solidarity's former headquarters in Wroclaw. Strikes erupted in the northwestern city of Szczecin and in the western city of Poznan. For the first time since the early days of martial law, unrest occurred in the industrial region of Lower Silesia. Inevitably, the strikes and demonstrations were soon crushed by the overwhelming force wielded by the military regime. The aftermath also was predictable. Many people had been injured, one unarmed twenty-year old from Nowa Huta had been fatally shot by a plainclothes policeman. Workers were fired. Hundreds were arrested, among them Anna Walentynowicz, whose dismissal from the Gdansk Shipyard in 1980 had sparked the nationwide strikes at that time. Reportedly she was charged with organizing a strike, and was confined forcibly to a psychiatric hospital near Warsaw.

Martial law in Poland continues with little hope of real relief. The vast majority of the Polish people who believed in Solidarity and the rights guaranteed under the Helsinki Final Act, refuse to surrender their hopes. The regime of General Jaruzelski refuses to restore the rights of the people or even to make reasonable compromises. The Soviet Union stands in the background pressuring the authorities in Warsaw to eradicate every last vestige of freedom.

The events of the past two years seem to have come full circle. From the rebirth of freedom which Poland received from the Solidarity movement, the country has now returned to a life of leaden conformism just as Hungary in 1956 and Czechoslovakia in 1968. Still, the experience of the past provides hope for the future that one day there will be a rebirth of freedom in Poland that no force can crush. Until then, the promise of Helsinki will remain a beacon for the Polish people.

Bulgaria

Reliable information on the status of political, religious and ethnic rights in Bulgaria reaching the West remains scanty. While there is no well-publicized or widescale human rights movements in Bulgaria, the regime's virtual total control of political, economic, social and cultural life guarantees a sharp restriction of many of the civil and political rights which are taken for granted in the West. The Bulgarian constitution of 1971 guarantees a number of basic rights, including freedom of speech, press, association, worship and communication. However, in practice -- at least in the Western sense -- many of these freedoms do not exist. As noted in the Commission's 1980 implementation report, the state controls the press, decides which organizations may exist and permits no internal political opposition to either the state or the party. Internal opposition -- when it appears -- continues to be dealt with promptly and severely.

Political Rights

Since there is no known organized dissident activity in Bulgaria, the authorities have not had to resort to the kind of overt or widespread brutality and oppression practiced in certain other countries of the Communist bloc. While internal dissent and criticism undoubtedly exists -- at least passively -- there continues to be few publicized or documented arrests or trials of individuals for political activity directly related to the Final Act.

Amnesty International is investigating the cases of 23 Bulgarians it regards as political prisoners. In addition, Amnesty's 1981 report quotes former prisoners' estimates that there are about 250 political prisoners in the Stara Zagora prison alone, nearly 15% of whom are allegedly imprisoned for attempts to emigrate illegally.[10] No verifiable independent evidence has emerged to support these claims. In fact, independent estimates on the number of political prisoners in Bulgaria, according to the

Department of State's Country Report for 1981, are simply not available.[11] The Bulgarian government, for its part, continues its policy of not recognizing the existence of political prisoners, despite several articles of the Criminal Code providing punishment for specific political acts including anti-state agitation and membership in oppositionist organizations.

Amnesty International continues to report instances of the confinement of political prisoners in psychiatric hospitals and the enforced use of drugs on them, although again these allegations have not been supported by any other firm evidence of psychiatric abuse to control dissent.

Religious Rights

While the Bulgarian constitution guarantees freedom of conscience and religion, the government closely monitors and circumscribes organized religion. It carefully controls the importation of Bibles and the distribution of religious publications including those of the Bulgarian Orthodox Church. Active church members find discrimination in efforts to attain government positions as well as responsible jobs in the economy.

The inadequate supply of Bibles and the prohibition on their importation continue to be the cause of conflict between the government and believers who have attempted to bring religious material into the country. Six Pentecostal pastors were sentenced in November 1979 to terms ranging from 3 - 5 years imprisonment on charges of illegal currency transactions, although the charges are believed to stem from the importation of religious materials including Bibles. Since then, at least one of these pastors has been released and there have been indications from the Foreign Ministry that the others should soon be released as well.

Religious proselytizing from abroad, with the assistance of Bulgarian evangelicals, is an area of particular offical concern in Bulgaria. In August 1981, Pogled, the journal of the Bulgarian writers union, alleged that foreign missionaries were distributing religious literature as part of a plot to damage socialism in Bulgaria. This article would seem to indicate greater official concern about the activities of unauthorized evangelical groups than was previously evident.

Amnesty International and Freedom House report that Moslems in Bulgaria, which include ethnic Bulgarians called Pomaks as well as members of the Turkish minority, continue to be persecuted and occasionally imprisoned as a result of their religious activities. The authorities have become particularly sensitive to the religious activities of the Moslem minority in the wake of the post-Shah events in Iran.

On a brighter note, Bulgarian church officals have announced that the new long-awaited Bulgarian Orthodox Bible, which the authorities claim will be suitable for other denominations, including Judaism, will soon be published. The state also permits the Orthodox Church to operate a seminary and to sell authorized publications and religious articles. Efforts have also been made to preserve the remnants of the Jewish community and culture in Bulgaria. Jewish cultural, social and religious institutions continue to receive financial support from the state, although there are still no functioning Jewish schools or rabbis.

Ethnic Rights

Amnesty International reports that members of the Turkish minority (numbering more than 700,000) and Pomaks continue to be subjected to harassment and imprisonment on ethnic as well as religious grounds.[12] In the 1970's, efforts were made to force Bulgarians with Moslem surnames to change their names to Bulgarian equivalents. Many of those who refused were given prison sentences. These efforts are continuing and several Bulgarian Moslems remain in prison for their refusal to give up their given names. On the positive side, in recent years, small numbers of Turks and Jews have been permitted to emigrate.

GERMAN DEMOCRATIC REPUBLIC

The GDR has a mixed implementation record in living up to its obligations under Final Act human rights goals, particularly Principle VII, "Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief." Although the GDR Socialist Unity (Communist) Party tries to assert total control over essential civil and political rights such as free speech, press and assembly, the large religious community enjoys significant rights, and the culture of a small ethnic minority is preserved. When it comes to respecting emigration rights, however, the GDR record is dismal.

Civil and Political Rights

Freedom of speech is tolerated only so far as to allow expression of views which conform to Communist Party norms, although there is some leeway for the expression of religious beliefs and for the discussion of economic problems. Similarly, freedom of the press exists only in theory, since the Party censors all materials published in the GDR, including religious literature. Despite such rigorous efforts to enforce the government monopoly over information, most GDR citizens can easily listen to foreign radio and television programs, not only from the Federal Republic of Germany (FRG), but also American, British and French broadcasts in West Berlin. As a result, the GDR population is probably the best informed of any in the Warsaw Pact.

Freedom of assembly is another right over which the state attempts to assert absolute control. The only mass organizations are Party controlled -- with the significant exception of the church. There is only one official trade union organization and it is denied the right to strike. In response to popular pressures in neighboring Poland for a genuine trade union movement, the GDR press (in the July 22, 1981 Neues Deutschland) pointed out that there was no need for labor reform in the GDR because 135,000 workers' proposals had been incorporated into the directive for the current five-year plan and that thousands of workers constantly share in the shaping of society by participation in various official commissions. Nevertheless, there were reports of arrests in fall 1981 of several East German trade union activists who publicly supported Solidarity.

In August 1979, the GDR took measures to further tighten its control over information by amending the Criminal Code to greatly expand the type of activities deemed treasonous by the state. The new law expands the definition of "subversive" literature to include any information seen as detrimental to the dignity of GDR-style socialism.

Ethnic Rights

Principle VII clearly commits signatory states to "respect the right of persons belonging to...(national) minorities to equality before the law, (and)...(to) afford the full opportunity for the actual enjoyment of human rights and fundamental freedoms." In the GDR there is only one small ethnic minority, the Sorbs, a Slavic people who comprise 0.2 percent of the population. The Sorbs, who have been linguistically and culturally assimilated into East German society, are, nevertheless, provided with opportunities to learn their native language in state schools and there is also a special Sorbian language publishing house.

Social and Economic Rights

Various Principle VII, IX and X provisions commit the signatory states to promote the economic and social rights of their citizens. The GDR has quite a creditable record in providing for the social and economic needs of its citizens -- in fact, per capita income is double that of any other Warsaw Pact country. East German priorities in building "consumer socialism" are reflected in budget allocations: seven percent for education; seven percent for medical and social services; and 20 percent for social insurance and pensions.

Despite the relative prosperity of the GDR citizen, special privileges for foreign travel, education and access to consumer goods and housing are limited to the Party elite. Since the GDR economy faces periodic shortages of various consumer items, including a continuing housing shortage, such special access is usually far more important than income in determining actual standard of living and social status. There are also certain sectors of the GDR population which face discrimination in employment and education -- people who advocate views independent of Party dogma and some devout religious believers.

Free and universal education is available through the 12th grade; 94 percent of all school-age children attend school. In terms of higher education, however, there is keen competition for the inadequate number of places and it is here that political considerations come to the fore. Applicants holding unorthodox political views or strong religious beliefs complain of discrimination.

Religious Rights

Sixty percent of the 16 million population professes some adherence to religious beliefs: almost half of the population belong to eight provincial branches of the Evangelical Lutheran Church; under eight percent or 1.3 million people are Roman Catholics; and less than one percent belong to other Protestant churches. There is also a small number of religious Jews. One religious group, the Jehovah's Witnesses, is totally illegal in the GDR. The very small Jewish community receives government financial support for its activities, including the construction and maintenance of synagogues and the upkeep of an old-age home. There are, however, no Jewish schools or resident rabbis.

With eight million members, the Evangelical Lutheran Church is by far the largest church in the GDR and remains the only large private landowner in the country. In March 1978, there was an important meeting between leaders of state and church -- church cooperation in building socialism was welcomed -- and Honecker promised that GDR Christians will not face discrimination in education or employment. Since then, the Evangelical Lutheran Church has made some important gains: applications for television broadcasts by church leaders are approved on a routine basis; ministers are now allowed access to people in prisons, the GDR Evangelical Lutheran Church receives considerable financial contributions from the West German Evangelical Lutheran Church. A further sign of improved church-state relations was the setting up of a special Martin Luther Committee to prepare for the 500th anniversary of Luther's birth, headed by GDR leader Erich Honecker.

The East German Catholic Church, in terms of organization, is part of the West German Catholic Church. Nevertheless, Protestants and Catholics in the GDR probably enjoy more religious freedom than anywhere else in Eastern Europe. For example, churches enjoy considerable autonomy in their internal affairs; every Sunday morning, the state radio broadcasts a religious service and the East German goverment helps pay for salaries of clergy.

In the area of social service, the churches play an important role in East German society with financial support from the state. In the educational sphere, the churches have their own colleges for training clergy and religious centers and church music schools. Catholic and Protestant churches publish weekly and monthly magazines and run their own publishing houses.

Although religious education for young people is not permitted in state schools, the churches do maintain their own programs of religious education. The introduction in 1978 of obligatory paramilitary training, however, for all students in GDR state schools caused some friction in church-state relations. After repeated protests by Catholic and Protestant leaders, the East German government made some concessions: mandatory participation in the program was not enforced; and parents were informed that children who refused participation for reasons of conscience (a right guaranteed under Article 20 of the GDR Constitution) would not be prosecuted. Furthermore, the authorities did not prevent the churches from distributing information on how to abstain from the program of paramilitary training and introducing a pacifist church program of "peace instruction." On the other hand, the East German government in 1981 extended the period of compulsory paramilitary instruction from the ninth and tenth grade to the eleventh grade.

Peace Initiatives

Developing out of widespread pacifist sentiments among East Germans was the idea of a "social peace service" as an alternative to compulsory 18-month military conscription. As part of an apparently local movement, Dresden church members in 1981 decried the "ever increasing weight of militarism in our society" and suggested an alternative 24-month peace service -- so that young people could work in hospitals or old-age homes (similar to the alternate military service which was introduced in the FRG in 1969). Previously, in 1964, the GDR had introduced "construction soldier" units in response to similar church pressure.

On November 10, 1981, the West German *Die Frankfurter Allgemeine Zeitung* reported that over 4,000 letters advocating alternate military service were sent to the leadership of the Evangelical Lutheran Church. Responding to a growing grass roots movement, regional synods of the Evangelical Lutheran Church in the fall of 1981 expressed support for the proposal. The Synod of Saxony issued the strongest statement favoring the social peace service, saying it was not enough to leave disarmament issues to churches in the West, particularly those of the West German Evangelical Church.

The GDR authorities have made clear their opposition to the social peace service. While indicating that support for alternate military service reflected a genuine Christian peace commitment, Klaus Gysi, the GDR State Secretary for Church Affairs, in 1981 meetings with church leaders, rejected the social peace service concept. Werner Walde, a candidate Politburo member, expressed his strong opposition to alternate military service at an October, 1981 Central Committee plenum:

> "The lies of the imperialists have no effect among the citizens (of the GDR); even with the use of the phrase concerning the so-called "social peace service" (the enemy) has no chance to resist the necessary military strength of socialism, regardless of who summons up such anti-peace, anti-socialist, anti-constitutional actions. These people forget that our entire republic is one social peace service."

Other spontaneous, unauthorized expressions of public support for peace have taken on a more mass character which is particularly disturbing to the authorities. At a meeting convened by the Evangelical Lutheran Church in Dresden on February 13, 1982, a crowd of about 4,000, mostly young people, participated in a peace forum, singing "We Shall Overcome" in English while GDR police watched from the sidelines. About the same time, other Evangelists began wearing badges with slogans such as "Make Peace Without Weapons" and "Swords Into Plowshares."

Other expressions of broader pacifist concerns have emerged recently in the GDR: In October, 1981, leading East German political dissident, physicist Robert Havemann, initiated an appeal to Soviet President Brezhnev asking for the withdrawal of Soviet and NATO "occupation troops from both parts of Germany" to facilitate disarmament in Europe. The appeal was eventually signed by 27 East Germans and 130 West Germans -- including four Social Democratic members of the West German parliament. As the first peace document signed by citizens of East and West Germany addressed to one of the superpowers, the letter also reminded Brezhnev that until the 1960's the Soviet Union had advocated the demilitarization and neutralization of all of Germany.

In late January, 1982, Lutheran pastor, Rainer Eppelmann -- a signer of the earlier Havemann appeal -- launched a new peace initiative, known as the "Berlin Appeal: Make Peace Without Weapons", which was signed by 200 East German citizens. The appeal asserts that the victors of World War II must "eventually conclude peace treaties with both German states as was decided in the 1945 Potsdam agreement. Thereafter, the former allies should withdraw their occupation forces from Germany and agree on guarantees for non-interference in the domestic affairs of both German states." The Berlin Appeal called for a nuclear free zone in both Germanys, expressed apprehension about the increasing militarization of the GDR, and urged the adoption of alternate military service, a ban on war, and a stop to public demonstrations of military might. Several of the signatories of the Berlin Appeal, according to the Frankfurter Rundschau (February 12, 1982), were detained and interrogated by GDR police, including Pastor Eppelmann.

A series of recent GDR decisions shows the concern which the fledgling peace movement has aroused. Fearing the international reaction to a harsh crackdown against these peace activists, the East German authorities have acted cautiously. In March 1982, the East German Politburo adopted measures to curb the popularity of the "swords-into-plowshares" emblem: if someone wears the emblem after being warned by a Party official, he or she will be expelled from the university or apprenticeship. At the same time, the police are under instructions to move quietly against youthful peace activists so as not to provoke protests. According to a July 27, 1982 article in the West German Die Welt, thousands of these badges are in circulation in the GDR. Another indication of official East German sensitivity to the political impact of the peace issue was a firm suggestion in July, 1982 to four East German peace activists to emigrate to West Germany.

The East German authorities have also tried to coopt the peace issue. Turning to loyal organizations, such as the Free German Youth, the Communist Youth Organization and the East German Peace Council, the authorities have organized mass peace rallies to support official GDR policies. Another tactic has been to counter the "Make Peace Without Weapons" slogan with an official version: "Make Peace -- Against NATO."

Still another recent action by GDR officials betrays the fear which the peace movement engenders. The East Berlin Minister of Culture recently ordered that a peace poster showing a man with a broken rifle over his head standing on a green globe no longer be printed for use in East Germany, but only sold for export. The poster had been awarded a prize by the United Nations and had been proclaimed as the symbol of a special disarmament session. This action speaks volumes about the peace-for-export policy of the GDR authorities and bares their hypocritical attitude toward the peace issue in clear defiance of their obligations under the Helsinki Final Act.

The religious community in the GDR persists in expressing its concerns for peace. After the Moscow Conference of Religious Leaders in May, 1982, the GDR Evangelical Lutheran Church met in Berlin on July 2 and 3. In addition to affirming the Moscow Conference appeal, the GDR Lutheran Federation requested: renunciation of military, economic and political confrontation; a moratorium on "hostile rhetoric" and that the GDR take "unilateral steps, if necessary" in the area of disarmament (July 7, 1982 Die Welt FRG). Catholic laymen in Halle called on the East German Catholic leadership to "lend its voice to those in the GDR who themselves are not allowed to speak or who remain silent in embitterment" on the peace issue, asserting that ecumenical differences weaken the credibility of the Christian peace testimonial.

Extra-Judicial Penalties for Human Rights Activism

Information collected by police monitoring of private telephone calls and personal correspondence can be introduced as evidence in court. Apparently in political cases, telephone tapping, opening letters, and "bugging" of homes are practiced quite frequently by East German officials. If a GDR citizen maintains extensive contacts with foreigners, he or she is likely to be subjected to physical surveillance. There are reports of an extensive network of police informers in places of work, apartment houses and even neighborhood bars.

House arrest is another possible penalty for unorthodox political views. According to GDR law, no specific charges are necessary to detain a citizen under house arrest if the person is deemed a threat to public security and order. Prominent East German dissident, physicist Robert Havemann, was held under house arrest from 1976 to 1979, and remained under close police surveillance until his death on April 7, 1982.

Penalties for Human Rights Activism - Imprisonment

There are an estimated 4,000 to 5,000 political prisoners in the GDR today; over half were imprisoned for attempting to leave the country. In fact, the GDR government has acknowledged that people are jailed for purely political offenses by its reference to "political prisoners" in a 1972 amnesty decree. In a further tacit admission of the existence of such prisoners, the GDR has an unpublicized arrangement by which the FRG buys freedom for political prisoners -- at a price which reflects the prisoner's educational level. According to information from Bonn, from August 1, 1980 until June 30, 1982 the West German government has bought out 2,687 such prisoners. Despite an extensive amnesty for prisoners in 1979, including people arrested for attempting to emigrate, only a small percentage of such persons have since been permitted to leave the GDR.

According to the GDR code of criminal procedure, a person may be detained for up to three months without charges. If the public prosecutor decides that the pre-trial investigation cannot be completed in three months -- as has happened in several political cases -- the term of pre-trial detention may be extended indefinitely. The East German code of criminal procedure stipulates that notification of arrest may be postponed if the investigation might be impeded by such notification. Particularly in political cases, it may be weeks before relatives or employers are notified of an arrest.

Although GDR law theoretically provides for fair public trial for all defendants, almost all political trials are ordered closed. In addition, most defense lawyers in political cases are not chosen by the defendants and they usually are not given enough time to prepare an adequate defense. Furthermore, the entire GDR judicial system is under effective Party control.

Although prisoners are generally treated humanely in pretrial detention, there are reports of frequent abuse of regular inmates, particularly in prisons run by the Ministry of Interior. Prisoners are beaten often by wardens for minor infractions of the rules. After a severe beating, the prisoner may be denied medical treatment and placed for several weeks in a punishment isolation cell with inadequate food, insufficient heat and unsanitary conditions. Reportedly, prisoners have died from lack of medical attention; suicides and suicide attempts are frequent.

There is usually no distinction between political prisoners and ordinary criminal offenders. Conditions for all are characterized by overcrowding, poor diet and inadequate sanitary facilities. In theory, prisoners have access to medical facilities, but sometimes even severely ill prisoners have been denied necessary medical attention. Reportedly, medicine is also in short supply and doctors are inadequately trained. In general, prisoners can see the permitted two visitors per month. There have been no reports of the use of the death penalty in recent years.

Former political prisoners live under certain restrictions in the GDR. They must observe curfew hours and friends must get permission from the local police in order to visit overnight. Most former political prisoners, however, have been able to find jobs and housing.

Conclusion

In general, the German Democratic Republic continues to have a poor record of implementation of its Helsinki human rights pledges, with the exception of religious freedom. Under pressure from events in Poland, the East German authorities have tried to isolate the population from what they consider to be subversive outside influences, such as the free labor movement. They have also demonstrated serious concern over the growth of private peace initiatives. It is an ironic but hopeful sign that it is the church, the one outlet for some degree of genuine popular expression, which gave birth to the popular peace movement, thus encroaching on what had been the exclusive preserve of the state.

ROMANIA

The Romanian Government continues to violate the human rights and fundamental freedoms of its peoples in contravention of Principle VII of the Helsinki Final Act. There is no indication that the pattern of severe limitation of individual and collective liberties of citizens in the areas of civil and political rights, religious freedom and minority rights has shown significant improvement. In fact, there are indications that in the past two years the Romanian Government has further tightened already repressive internal controls to prevent the spread to Romania of developments in Poland. Moreover, the last two years has witnessed increased harassment and arrests of people who have dared to act upon their Helsinki-guaranteed rights, particularly evangelical Christian activists.

At the same time, the Romanian Government continues to be willing to discuss human rights issues, in contrast to other Eastern countries. However, Romania's receptivity to humanitarian intercessions by other states seems to be a function less of its commitment to implementing the Final Act than to its interest in pursuing foreign policy goals. Exchanges with other governments on human rights matters have not resulted in any fundamental improvements in Romania's human rights situation, but in many instances, they have led to an easing of the plight of particular individuals.

A major element in Romania's human rights performance is the annual review by the U.S. Administration and Congress of Romania's eligibility to receive preferential or Most-Favored-Nation (MFN) trading status. The granting of such status assures lower tariff rates for Romanian exports to the United States and U.S. credits and investment guarantees. Romania's ability to obtain MFN has been made contingent on its emigration practises under the terms of Section 402 (Jackson-Vanik Amendment) of the 1974 U.S. Trade Act. When the issue comes up for yearly review, broader human rights concerns traditionally are aired and are a significant ingredient in the final U.S. decision. Not surprisingly, most human rights improvements are registered at the last minute by the Romanian Government to coincide with the summer months of the MFN review. In 1982, increasing evidence of a poor, if not deteriorating, human rights situation, particularly in the areas of emigration, religious liberty and minority rights prompted sharp criticism from the Reagan Administration and the Congress. Although MFN eventually was renewed for another year, erosion of support for its extension was evident. Renewal occurred only after Romania made significant gestures in the emigration field, released eleven Christian prisoners of conscience and agreed to engage in further human rights-related discussions with the U.S. Department of State, congressional offices and other concerned parties.

Civil and Political Rights

In Romania, a gamut of repressive measures commonly are directed against citizens whose behavior deviates from the norms of the state. Extrajuridical measures brought to bear against such individuals and often their families include: social opprobrium, extensive surveillance, intimidation and threats, demotion and expulsion from place of work or study, forced retirement, loss of pension, etc. Juridical measures used may include repeated, short-term detention for questioning and physical abuse by the police, forced confinement to a psychiatric institution, forced resettlement, forced labor, imprisonment under cruel, inhumane and degrading conditions and forced emigration. Individuals may be prosecuted for political crimes merely for the non-violent exercise of certain human rights. Frequently, moreover, such individuals are prosecuted on trumped-up criminal charges, such as parasitism, disturbance of the public order and embezzlement.

Such repression has effectively stilled organized human rights activity in Romania. Previous Commission reports covered the history of the short-lived "Goma Movement" and the emergence in 1977 to 1979 amongst the intelligentsia, religious communities, workers and minority groups of loose coalitions of individuals seeking greater exercise of human rights. The unrelenting pattern of harassment, arrest, imprisonment and forced emigration decimated many of these groups such as the fledgling Free Labor Union of the Working People of Romania (SLOMR). Established in February 1979, SLOMR was quickly crippled through the arrests of all its founding members and has never recovered.

Of the current victims of Romanian human rights repression, Father Gheorghe Calciu-Dumitreasa is Romania's most prominent prisoner of conscience. He was arrested in early 1979 at the same time as the SLOMR activists and subsequently given a stiff ten-year sentence for what the Romanian Government asserts were "neo-fascist activities." The specific charges for which Calciu was convicted never have been made public nor has the Romanian Government presented any evidence to substantiate its flat assertion that he is a fascist. There is well-founded speculation that the true motivations for his arrest were that Calciu, a charismatic figure whose popular sermons offered a spiritual alternative to Romanian communism and who had ties to dissenting religious groups, SLOMR and dissident intellectuals such as Goma, was considered by the authorities as a potential rallying point for a broad range of human rights activities in Romania.

In response to repeated Western intercessions on Calciu's behalf, Romanian officials now insist that Calciu has only to ask for a pardon or an amnesty in order to go free. For his part, Calciu reportedly will not accept such an option if it would carry an implicit or explicit admission of guilt. Calciu's wife is allowed to visit him every six months, but their conversations are closely monitored. Calciu has staged at least six hunger strikes and is believed to be seriously ill, but the Romanian Government refuses to permit an independent inspection team to investigate the state of his health or the conditions of his confinement. In his late fifties, Calciu had spent 16 years in prison prior to his last arrest in early 1979.

Although Romanian human rights activists have been forced to leave the country, the efforts of the authorities to silence them has not ceased with their departure. There is no more striking indication of the lengths to which the Romanian Government will go to suppress such activists than the recently thwarted attempt in

France of the Romanian secret police to assassinate Paul Goma and fellow Romanian dissident writer Virgil Tanase. Though in exile, both men continue to publicize human rights violations in Romania to the obvious consternation of the authorities in Bucharest.

Religious Rights

The requirement that religious denominations in Romania must be recognized or "registered" by the government in order to operate legally serves to secure state control over religion. By meeting the registration requirement, fourteen faiths have attempted to survive and exist in a totalitarian state that actively promotes atheism. On the one hand, the state gives registered faiths financial support and permits them to erect and renovate church buildings, receive theological training and maintain contacts with co-religionists abroad. In exchange, the registered faiths must accept tight government supervision of their institutional affairs, including control over the election or appointment of church leaders, direction of church finances and the regulation of inter- and intra-denominational relations. The Eastern-Rite Catholic, or Uniate, Church was banned in 1948 and is denied reinstatement. Other religious groups refuse to accept the state's registration requirements, which are regarded by many believers as a form of stranglehold on the free practice of their religions. The authorities are quick to exploit differences within and between the faiths over the question of government control in order to weaken religion as a potential social force in Romanian society. At the same time, the government continues to target activist evangelical members of unregistered faiths -- such as Nazarenes and Jehovah's Witnesses -- and of splinter evangelical factions within the registered churches for harassment, arrest and imprisonment. For this reason, many evangelicals have emigrated from Romania on the grounds of religious persecution.

A variety of means are used to repress religious activism in Romania. One strategy can be seen in the case of five Baptists from Bucharest -- Iosif Sarac and Pascu Geabou, the President and Secretary of the Bucharest Baptist Community and pastors Vasile Talos, Bani Cocar and Vasile Brinzei -- men known for their integrity who expressed dissatisfaction with the modus vivendi struck between the Baptist Union and the state. The five were arrested in early 1981 and accused of embezzling church funds and of making illegal and unauthorized purchases and donations out of church treasuries. In fact, they were only following an informal arrangement with the Department of Cults to dispense such funds directly rather than through the Department. Clearly the five were singled out for punishment because of their independence rather than for any irregularities in bookkeeping. Vigorous intercession by the West persuaded the government not to prosecute the pastors, but instead the Baptist Union was pressured to expel them.

In other instances, administrative pretexts have been used to prevent the construction and maintenance of church buildings. In September 1982, more than 300 Baptists engaged in a round-the-clock vigil inside their church in Iasi in an attempt to prevent the scheduled demolition of the building. The church had been ordered destroyed by city officials on the grounds of minor building code violations. In late October, the parishioners finally were given permission to renovate their church. At another church in Zalau near Cluj, up to 400 people occupied a house they were converting into a church. The congregation had received verbal permission for the conversion, but the city officials reversed themselves and threatened to demolish the building.

To curb independent tendencies among the faiths, the Romanian authorities have stepped up efforts to convince believers that religious activity beyond the state-approved limits -- particularly when it involves contacting the West about human right violations -- is prohibitively risky. In November 1981, several Orthodox priests were beaten by police for sending a letter to Radio Free Europe demanding religious greedom in Romania. One of them, Father Ambrus-Cernat, was forced to withdraw his request to emigrate to the United States. In another instance, a spokesman of the Christian Committee for the Defense of Religion and Conscience (ALRC), Ioan Teodosiu, a Baptist from Cluj, was arrested on December 16, 1981 and accused of espionage, for transmitting information to the West about religious repression in Romania. Thanks to vocal support abroad, Teodosiu was released from pretrial detention in March 1982, but he continues to be harassed by the authorities. Teodosiu's wife, Ligia, pregnant at the time of her husband's arrest, suffered complications as a result of the stress. Now, Teodosiu has decided that he and his family have no alternative but to emigrate.

The suppression of religious activism was the subject of a virulent press campaign in the spring of 1982. On April 25, the Communist Party daily Scinteia ran an article entitled "The Lie Does Not Die of Old Age"[13] in which Teodosiu, ALRC spokesman, Radu Capusan, who was forced to emigrate in 1980, and Western news media such as The New York Times were lambasted for circulating "lies" about violations of religious rights in Romania. A follow-up article in Scinteia on May 23, purportedly a compendium of readers' comments, attacked the integrity of Teodosiu and Capusan, as well as Romanian pastors in the West such as Pavel Nicolescu, Aurel Popescu and Iosif Ton.[14]

Over the past two years, the Romanian authorities have made a number of arrests for the unauthorized receipt and distribution of Bibles and other religious literature from abroad. In October 1980, five Romanian Protestants, Paul Gross, Michael Kloss, Manfred Herberth, Gheorghe Hoffmann and Matthias Fakner were arrested and charged with disseminating printed and audio matter without government permission and violating customs, currency and border regulations. Allegedly, some of the Bibles confiscated in this operation were destined for the Soviet Union. The men were sentenced to terms of imprisonment ranging from 18 months to four years and received stiff fines. Following the expression of considerable concern during the 1981 MFN review in the United States, the five men were amnestied on Romania's national day, August 23.

Again, in December 1981 and March 1982, eleven other Christian activists -- Costel Georgescu, Silviu and Mircea Cioata, Klaus Wagner, Fibia and Maria Delapeta, Petre Furnea, Ioan Toader, Hans Holzmann, Horst Feder, Ioan Raceala -- were sentenced to draconian terms of imprisonment ranging from five to six years in connection with Bible distribution. Again, "Bible prisoners" became the subject of vocal concern in the United States and on the eve of the 1982 MFN hearings all eleven were amnestied.

In still another case, seventy-year-old Traian Dorz, a pastor of the unrecognized "Army of the Lord" faction of the Romanian Orthodox Church and a well-known poet and author of religious books for children, was tried on June 29, 1982 in connection with the possession of contraband religious literature. Dorz was given a suspended sentence, released and later suffered a heart attack. He was re-arrested on August 3 and again charged with possession of contraband, i.e. children's prayerbooks which he had authored and which had been printed in the West. Dorz had repeatedly attempted to have the prayerbooks published legally in Romania. Dorz is now in Satu-Mare Prison where his wife visited him in late September. She reports that her husband was ill but had not been given any medical treatment. His wife was told that he is permitted to receive medicine, but without a proper diagnosis of his medical condition it is impossible to know what medication to administer. In isolation and not allowed exercise like the other prisoners, Dorz told his wife that he does not think he can last more than two to three months in such conditions. He previously had served seventeen years in prison for his religious beliefs.

Romanian authorities insist that the above-mentioned individuals would not have been subject to prosecution had they observed the official procedures for the importation and dissemination of religious literature. However, it is clear that following the proper importation procedures would not nearly satisfy the pent-up demand for religious materials in Romania and thus believers feel obliged to turn to other methods.

The thirst for greater religious freedom in Romania has prompted believers to risk open appeals to the authorities. In August 1982, 66 Baptist pastors (more than half the number of pastors recognized by the government) signed a petition to President Ceausescu asserting the right of denominations freely to hold services, to build and repair churches, to collect and dispense church monies directly and not via the Department of Cults and to print and import Bibles. The signatories called upon the Romanian authorities to allow the matriculation of one full class per year at the Baptist seminary and to stop false criticism of religious activists and church leaders in the press. The four authors of the petition, pastors Petre Dugulescu, Vasile Brinzei, Iosif Stefanut and Pascu Geabou, were called in for interrogation by the secret police on October 13. Their ultimate fate is still unknown.

Economic and Social Rights

There is no real guarantee of workers' rights in Romania and, in fact, these rights are regularly trampled by the Romanian authorities. There is no legal right to strike or any genuine mechanism for workers to bargain collectively with the state over wage levels and working conditions. On the contrary, the Romanian Government has always moved quickly against expressions of worker discontent. Given events in Poland and the critical economic conditions within Romania over the past two years, the Romanian Government has been even more vigilant than before to the danger of independent workers' movements.

Worker resistance as occurred during the massive Jiu Valley miners' strike in 1977 has not happened again. Manifestations of worker unrest have occasionally erupted, but they have been sporadic, very localized and easily contained by the authorities through a combination of repressive and ameliorative measures. The Free Labor Union of the Working People of Romania (SLOMR) has been effectively crushed by the government. Prominent SLOMR leaders, Dr. Ionel Cana and his deputy Gheorghe Brasoveanu, given lengthy prison sentences in 1979, were released from confinement in 1981 and are now under strict surveillance. Nicolae Dascalu, who along with a few others organized a group to monitor the treatment of SLOMR, was arrested in May 1979 and served a 10-month prison sentence, but was permitted to emigrate to the United States with his family in March 1981. Vasile Paraschiv, another SLOMR founder, and long-time victim of psychiatric abuse, had been missing since his arrest in early 1979, but reappeared briefly in late 1981. After a French correspondent from Le Matin contacted Paraschiv in February 1982, the reporter was attacked by unknown assailants, badly beaten and his tape recorder and notes stolen. Paraschiv was rearrested along with his wife, but both evidently were released after some months. As of August 1982, both are under strict house arrest. Other SLOMR sympathizers have been neutralized through emigration.

In the economic sphere, the Romanian Government has attempted to provide escape valves for popular discontent over the low standard of living by attacking corruption and bureaucratic incompetence and there have been significant shake-ups of high-level officials holding economic portfolios.

Ethnic Rights

The question of ethnic minority rights in Romania has long been a sensitive issue. Evidence suggests that the Romanian Government does not adequately defend these rights, despite protestations to the contrary and legal prohibitions against minority discrimination. Amnesty International, the International Human Rights Law Group and ethnic constituencies in Western CSCE states assert that the Romanian Government discriminates against minorities as a matter of policy. Others maintain that no national policy of discrimination exists per se, but that the government's emphasis on national unity and societal change in effect permits biased officials to engage in widespread discriminatory practices with impunity. Since there are few realistic opportunities, except for emigration, for redress of human rights grievances, making the distinction as to whether or not a discriminatory national policy toward minorities exists makes little practical difference.

There is little doubt that Romania does not substantially fulfill its Final Act obligations to give minority group members, as well as other citizens, "the opportunity for the actual enjoyment" of basic human rights and fundamental freedoms. Citizens belonging to minorities have a legitimate interest in preserving their cultural identities, but this is difficult to achieve under the jurisdiction of a totalitarian state which promotes Romanian nationalism. The fabric of minority cultures is woven from the bonds of religion, language and common historical experience. The existing restrictions on the exercise of religion, the state-imposed barriers impeding close contacts with ethnic homelands and ethnic group members abroad and the limited opportunities for education in minority languages and history all are core concerns for Romania's minorities.

Romania's largest national minority is comprised of citizens who are ethnic Hungarians (estimated between 1.7 and 2.5 million), the vast majority of whom live in Magyar communities in Transylvania. Other Hungarian populations are located in Moldavia outside the Carpathian Basin. The major objective of ethnic Hungarians is the preservation of their ethnic identity and not emigration. Insensitivity of the Romanian Government to the Hungarian minority's ethnic concerns has been the subject of much criticism.

As is the case with the German minority, the Hungarian population of Romania is provided several hours of official radio broadcasts daily and a few hours of state television programming weekly in the Hungarian language. Minority newspapers, all subject to state censorship, are available in the capital and in areas with a substantial minority population, but fewer publications are printed currently than was the case in past decades. Strict controls over the importation of all foreign publications prevents this minority from enjoying the broad range of Hungarian language titles printed just across the border in the Hungarian People's Republic. Given the extensive ties which ethnic Hungarians have abroad, particularly in neighboring Hungary, it is particularly galling that foreign visitors in Romania must stay at government-run facilities unless they are visiting first-degree relatives.

An estimated 32,000 Jews is all that remains of the 400,000 Romanian Jews who survived the Holocaust. Approximately 350,000 survivors settled in Israel, the majority in the immediate post-war years. A major concern for those remaining is the preservation of a viable Jewish way of life in Romania for those who do not wish to emigrate and the removal of official impediments to emigration for those who choose to leave.

On the positive side, it is encouraging to note that the Romanian Jewish community of Bucharest has its own community center, schools, newspaper and a kosher restaurant. The American Jewish Joint Distribution Committee has an active social service program in Romania. Romania remains the only Warsaw Pact country to maintain diplomatic relations with Israel since the 1967 war.

Yet, there have also been a number of highly disturbing developments. In the fall and winter of 1980, anti-Semitic brochures circulated privately in Romania. On September 5, 1980 the official literary weekly Saptamina ran an article laced with anti-Semitism. This particularly alarmed the world Jewish community for it is improbable in a tightly-controlled country with blanket state-censorship that these incidents could have taken place without implicit or explicit official sanction. In response to an international outcry, President Ceausescu on April 6, 1981, in the course of a lengthy speech on economic matters to the Congress of the Romanian Trade Union Federation, said that the Party and other organizations must combat anti-Semitic manifestations and other "undesirable tendencies like racism and superstition." The trade union speech received national radio and television coverage and was later reprinted in its entirety in national newspapers. On May 8, in an address marking the Romanian Communist Party's anniversary, Ceausescu again criticized anti-Semitism. Notwithstanding the Romanian leader's words, it is reasonable to conclude that anti-Semitism has not been entirely relegated to Romania's past.

Another large minority are ethnic Germans. The Federal Republic of Germany has long sought through cooperative mechanisms with the Romanian Government to maintain ties to the sizable ethnic-German population (estimated at 300,000 to 350,000). At the same time, since 1977 bilateral understandings between the two countries have facilitated the legal emigration of substantial numbers of ethnic Germans to the FRG. However, the considerable level of emigration in no way approaches the high level of demand. Ethnic-German emigrants to the Federal Republic often cite minority discrimination and the lack of adequate opportunities to preserve German culture within Romania as major motivations for leaving the country. When FRG President Karl Carstens visited Romania in November 1981, the Romanian Government's efforts to keep him isolated from the general population and the German minority in particular were the subject of much criticism in the West German media.

As indicated in the U.S. Department of State 1981 Country Report on human rights practices in Romania, cultural, educational and social opportunities for minorities have been limited by the government policy to centralize and combine institutions. This has resulted in a reduction in the number of schools, theaters, folk ensembles and other vehicles for minority groups. In parts of the country with large minority populations, it is still possible to take courses in German or Hungarian through to the university level. However, the opportunity to study in a minority language decreases the higher the grade level. In 1959, the Romanian Government eliminated the last remaining Magyar University -- the Bolyai -- by merging it into a Romanian institution, the Babes University. Furthermore, school consolidations at the primary and secondary level have resulted in the closing of many ethnic language schools. This was in large part accomplished by enforcing the requirement that 25 minority students at the grade school level and 36 minority students at the high school level be present in order to maintain or establish a class in one of the minority languages, even in small villages where Hungarian or German students vastly outnumber the ethnic Romanian students.[15]

Hungarian minority issues continue to be discussed between the governments of Hungary and Romania. As the result of a 1977 agreement between the two countries, Hungary opened a consulate in Cluj-Napoca in April 1980 and on December 22, 1981, the counterpart Romanian consulate was opened at Debrecen. Nevertheless, despite lofty official Hungarian and Romanian pronouncements about building bridges between the nationalities, it is clear that all is not serene between the two governments. Indirect, but unmistakable indications of the Hungarian Government's displeasure have surfaced repeatedly. Gyula Illyes, Hungary's greatest living poet, has spoken out forcefully on numerous occasions about discriminatory treatment of the Hungarian minority in Romania. On March 13, 1982, the Hungarian Party daily, Nepszabadsag, went so far as to run an article lampooning Ceausescu's personality cult and criticizing Romanian chauvinism.

Kiroly Kiraly, the chief spokesman within Romania in defense of the rights of the Hungarian minority, lives under constant surveillance. His brother, Istvan, having renounced his Party membership, sent a letter in September 1980 to the Romanian Party leadership protesting, among other things, the lack of any good faith effort by the Party to solve existing nationality problems. Subsequently, Istvan lost his job at a local branch of the State Archives and, like his brother, has been the target of police harassment.

Romania and the CSCE Process

Romania continues to be a vocal proponent of the CSCE process and has been an active participant in the ongoing Madrid Review Meeting. In fact, among the new proposals Romania sponsored at the meeting is one to establish permanent CSCE machinery to operate in the intervals between major review meetings and sustain an exchange of views and information on subjects related to the Final Act. Romania has also offered to host the next review meeting in Bucharest. In addition, a two-day colloquium on the future of the Helsinki process, sponsored by the New York-based Institute for East-West Security Studies and the Romanian Association of International Law and International Relations, was held in Snagov, near Bucharest, in October 1982. In an ugly incident at Bucharest international airport, the Executive Director of the U.S. Helsinki Watch, departing the country after meeting with some Romanian citizens and following the Snagov conference, was detained by Romanian police and warned that any criticial comments she subsequently might make regarding human rights conditions in Romania would jeopardize the Romanian citizens she contacted during her trip.

The fact that nothing has been done to ameliorate the bleak human rights situation in Romania during the last two years of the Madrid meeting provides graphic evidence that the Romanian authorities view the CSCE process strictly in terms of foreign policy and trade objectives and in no way as a commitment to respect and protect the human rights and fundamental freedoms of their own people.

CZECHOSLOVAKIA

Czechoslovakia's record in implementing the Final Act's human rights provisions continues to be poor. The arrest and imprisonment of human rights and religious activists continue, as the Czechoslovakia government has demonstrated a heightened sensitivity to and suspicion of dissident activity in the aftermath of the events in Poland.

In 1981, over thirty activists were arrested in a crackdown against Czechoslovakia's two major human rights groups, Charter '77 and VONS (Committee for the Defense of the Unjustly Persecuted). Of these, seven remained in pre-trial detention for nearly a year. Charter '77 spokespersons and their relatives continue to be subjected to threats and a variety of pressures from the authorities. The activities of the Catholic Church remain severely curtailed by the authorities and in the past two years several Catholic clergy have been arrested and imprisoned.

Civil and Political Rights

Charter '77 and VONS continue to be the two main human rights groups in Czechoslovakia. The Charter '77 movement, composed of more than 1,000 intellectuals, workers and students as well as former party functionaries, insists it is not trying to operate like a political party, but is primarily concerned with trying to influence the authorities to abide by Czechoslovakia's own laws and international commitments regarding civil and political rights. Despite efforts to suppress its activities, Charter '77 continues to issue reports and studies on various aspects of Czechoslovakia's implementation of these human rights commitments as well as status reports on the treatment of human rights activists at the hands of the authorities. (A compilation of these documents was issued by the Commission in July 1982 and is available to the public in English translation.)

VONS was formed in late 1977 in reaction to arbitrary and unjustified trials and imprisonments of human rights activists. Its members include many signatories of Charter '77. Dedicated to bringing illegal actions of the authorities to world attention, VONS concentrates on abuses of the judicial system issuing reports on cases where it believes the police, the courts or the prison system have abused civil and political rights. As of June 1982, more than 300 such reports had been issued and circulated within Czechoslovakia as well as in the West, including 100 which have been issued since September 1980.

Members of both Charter '77 and VONS have continued to be persecuted for their activites. They have been detained, imprisoned, deprived of their jobs, suffered loss of educational opportunities for their children and subjected to such petty harassments as suspension of driving licenses and surveillance.

The authorities continue their efforts to suppress dissident activity by periodically arresting and sentencing leading members of Charter '77 and VONS to prison terms on charges of anti-state activity. In May 1981, more than 30 Charter '77 and VONS activists, including former Foreign Minister and Charter spokesperson Jiri Hajek, were arrested in a crackdown on dissident activity stemming from the detention of two French journalists at the border -- subsequently released -- on suspicion of smuggling materials and funds to assist the dissident movement in Czechoslovakia. Eighteen activists were charged with maintaining subversive ties with foreign countries and were held in pre-trial detention. The authorities periodically threatened to initiate the trials of these activists but have not carried through. Instead most were eventually released except for seven who remained in pre-trial detention until 1982 -- nearly 10 months. These seven -- Karel Kyncl, Eva Kanturkova, Jirina Siklova and Jan Ruml, all of whom were released on March 22, 1982 and Jiri Ruml, Jan Mlynarik and Milan Cimecka who were released a few weeks later -- still face the charges against them if the authorities choose to activate their case.

Other activists have been persecuted as well. On October 23, Jan Litomisky, a prominent member of VONS was sentenced to three years imprisonment and two years house arrest for "subversive activities," which included holding VONs meetings in his home and teaching unapproved courses in philosophy and theology. In July 1981, two prominent members of Charter '77 and VONs Jiri Gruntorad and Rudolf Battek were brought to trial. Rudolf Battek, a former Charter '77 spokesman and founder of VONS, was given a seven and one-half year sentence, plus three years internal exile on charges of subversion and assaulting a policeman. The sentence, which was one of the harshest ever meted out to an activist since the signing of the Helsinki Final Act, was reduced on appeal in October 1981 by two years. Jiri Gruntorad was given a four-year sentence for "subversion," which was upheld despite an appeal made October 1981.

In April 1981, Jan Cernogursky, a lawyer, was disbarred for his vigorous defense of political dissidents, particularly in the case of Mrs. Drahomira Sineglova who was charged with possession of illegal literature. Mr. Cernogursky was one of the few remaining lawyers in Czechoslovakia willing to provide dissidents with a energetic and independent defense. Ironically, his client, Mrs. Sineglova, was granted a pardon by Czechoslovak President Husak while serving her year term, the first time in many years that such a pardon had been granted. The case of Mrs. Sineglova, a mother of three expecting her fourth child, evoked considerable world-wide attention and sympathy during her imprisonment. Dr. Jozef Danisz of Prague, another activist lawyer, was also expelled from the bar association for his efforts on behalf of accused activists.

In June 1982, four human rights activists were given sentences ranging from 18 months to three and one-half years for "hooliganism" for their role in publishing the unofficial magazine Vokno (window). Ivan Jirous, the leader of the now banned rock music band, the Plastic People of the Universe, was given three and one-half years and Frantisek Starek two and one-half, with both also having to serve an additional two and one-half years of internal exile. Michail Hybek and Milan Fric both received 18-month sentences. Jirous and Starek are both Charter '77 signatories. Jirous, for whom this is his fourth conviction, will serve his sentence in the harshest category of prison. Another Charter '77 signatory, Petr Pospichal, was sentenced by a military court on May 27, 1982 to one and one-half years imprisonment for "inciting" while in military service.

Other forms of harassment are also employed as well. The police continue their policy of frequent 48-hour detentions. Certain detainees are urged or blackmailed into emigration. Charter '77 signatory Karel Soukup and his family emigrated in March 1982 after threats of a trial on charges dating from 1976. Many other activists in Charter '77 have also emigrated in the face of threats and harassment by the authorities. Some former activists, such as the author Pavel Kohout and philosopher Julius Tomin, have been denied permission to return to the country after temporary visits abroad and have been stripped of their citizenship. Others, including the journalist Jiri Lederer, have emigrated after serving prison terms for political offenses.

Despite this incessant harassment and repression, Charter '77 has pursued its efforts to monitor the authorities' failure to implement the Final Act and other international agreements through the issuance of reports, letters and updates. Charter '77 was forced to suspend publication of its lengthy numbered documents in 1979 due to increased harassment by the regime. It continued, however, to release short bulletins and letters on specific human rights-related issues. On September 17, 1980, then Charter '77 spokespersons Marie Hromadkova and Milos Rejchert sent a letter to Dr. Gustav Husak, the President of Czechoslovakia , urging him to instruct the Czechoslovak delegation to the Madrid CSCE Review Meeting to make a "positive contribution" to the negotiations on human rights and Basket III. In November 1980, three Charter '77 activists currently in prison, Dr. Vaclav Benda, Jiri Dienstbier and Vaclav Havel addressed an open letter to the Czechoslovak delegation at the Madrid meeting calling attention to their plight by asserting that their work on behalf of Charter '77 and VONS was "entirely in harmony with the Helsinki Final Act," and that the creation of the Charter '77 movement was actually motivated by the Helsinki process itself. They called upon the conference to require all signatory states to submit lists of their political prisoners to future follow-up meetings and urged that a commission be established to examine the justification for their imprisonment.

Another letter was sent to President Husak on February 22, 1981 by three new Charter spokespersons, Vaclav Maly, Jaroslav Sabata and Bedrich Placak, recalling the initial letter of September 17 addressed to him which had gone unanswered. This new letter urged that Czechoslovakia, having ratified the International Covenants on Human Rights, proceed to adapt its laws and practices to the provisions contained in these documents.

Beginning in 1982, under the leadership of three new spokespersons, Dr. Radim Palous, Anna Marvanova and Ladislav Lis, Charter '77 adopted a more activist profile and began again to issue numbered documents dealing with a wide variety of issues. This numbering system was resumed, in part, due to an effort to circulate bogus documents in the name of Charter '77. By July 1982, more than 20 new documents had been issued dealing with a variety of subjects troublesome to the authorities, including documents on the Solidarity movement in Poland, the status of religious liberty in Czechoslovakia, economic difficulties, and an analysis of the state of the Charter '77 movement on its fifth anniversary. The statement on economic difficulties -- a particularly comprehensive document -- dealt with the effects of recent price increases and called for the reform of the trade unions. It concluded that the stagnation of the Czechoslovak economy could only be changed through a wholesale democratization of political and social life. The document on religious liberty called on the authorities to adopt an 11-point program on freedom of religion in accordance with the provisions of the Helsinki Final Act and the International Covenants. Charter document #19 of 1982 discussed the issue of job discrimination, asserting that discrimination against active regime critics as well as those who display an "unhealthy" interest in Western culture continues and in important respects has worsened. Reports from Czechoslovakia assert that shortly after the publication of document #19 "dozens" of Charter signatories were fired without cause from their jobs.

VONS also has continued its documentation of human rights abuses. In the past year it has released bulletins on actions of the STB (security police) against VONS and Charter '77 members following the imposition of martial law in Poland. These actions included the temporary detention of several Charter activists, notably Ladislav Lis and Jiri Sabata. Other bulletins dealt with the break-up of the philosophical seminar, known as the Potocka seminars, conducted by Dr. Ladislav Hejdansk, and recounted the trial of former Charter spokesman Rudolf Battek.

In response to this increased activity by human right activists in 1982, the Czechoslovak authorities, already nervous as a result of the events in Poland, have temporarily detained and warned each of the three new Charter spokesmen not to continue publishing material on sensitive topics. Other Charter members and their families have been the objects of crude threats and other harassments. In an open letter to Jaromir Obzina, the Minister of the Interior of the CSSR, Alena Lisova, wife of the Charter spokesperson, complained about receiving an anonymous letter containing threats against the lives of her two children, unless an exorbitant sum of money was paid.

The Czechoslovak authorities, in general, have demonstrated great sensitivity to the rise of the Solidarity movement in Poland and the subsequent imposition of martial law. Not unexpectedly, far from acknowledging that any violations of the Helsinki Accords have occurred in Poland, the government has been one of the strongest and most vocal supporters of the martial law regime. In opposition to this position, Charter '77 in 1982 has issued two short documents -- one calling for a day of solidarity with the people of Poland and the other urging the Czechoslovak government to resolve major domestic political and economic problems analogous to those which resulted in the current unrest in Poland. As a result, several prominent Charter '77 and VONS figures including Vaclav Maly, Jiri Hajek and Ladislav Lis were detained and warned to remain silent about events in Poland. In addition, other arrests were made in January 1982 in connection with the distribution of leaflets urging support for Polish workers. Four young Czechoslovaks, the brothers Jan and Josef Wunsch, Vaclac Soukup and Jitka Tumova still await trial on charges that they distributed leaflets urging Solidarity with workers in Poland.

Economic and Social Rights

The repressive campaign of the authorities against Charter signatories and other human rights activists in violation of the Helsinki Final Act continues in other ways as well. As elaborated in several recent Charter documents, economic and social pressures are also brought to bear on the families of the activists. Children of Chartists and other regime critics are barred from attending universities and other institutions of higher learning. At the same time, they are subjected to a variety of petty harassments such as street surveillance, apartment searches, mail censorship and seizure of books and magazines.

In 1982 at a meeting of the International Labor Organization (ILO) in Geneva, the Czechoslovak delegation for the first time admitted that "certain" signatories of Charter '77 had been removed from their jobs without just cause. Unfortunately, the ILO failed to take the next logical step to pass a resolution to this effect at the conclusion of the session.

Religious Rights

According to the Department of State, church-state relations in Czechoslovakia are generally considered to be the worst of all the Warsaw Pact countries. The authorities continue to exercise pervasive control over the activities of the Catholic Church, the major religious force in the country to which 75% of the population at least nominally adheres and to exert pressure on religious activists and church personnel whose religious activities are thought to border uncomfortably on human rights and dissident activity. The government continues to strictly limit admissions to theological schools and to reduce the number of functioning clergy by withholding permission to carry out clerical duties, mandatory early pensioning and other harassments. Religious literature is allowed to be published only in extremely limited circulation. Recent events in Poland appear to have made the authorities even more determined to prevent the Catholic Church from developing the kind of power and influence it enjoys in Poland.

While freedom of religion and belief are theoretically guaranteed in the Czechoslovak Constitution, those who venture past the strict limitations imposed are punished, in many cases severely. The Jesuit Frantisek Lizna, who in October 1981 had received a twenty-month sentence on charges of illegally publishing and distributing religious material, was given an additional seven months in March 1982 for allegedly providing two visiting German priests with "information about churches" in Czechoslovakia. Another Catholic priest, Gabriel Povala of Slovakia was sentenced to eight months in prison for allegedly trying to influence young people to lead more religious lives. In December 1981, Father Jaroslav Duba got 15 months for allegedly "obstructing state supervision of religion," and Father Josef Varta was sentenced to 18 months on the same charge in April 1982. Anton Zlatohlavy, a priest from Slovakia, was also sentenced to two years in prison in October 1981 for "preventing state supervision of the Churches." In 1981, the Jesuit Rudolf Smahel received a ten-month to three-year sentence on charges of illegally publishing and distributing religious material. In September 1981, Father Josef Kordik received a one-year suspended sentence for celebrating mass illegally in the town of Louny in Bohemia. In March 1982, Father Radim Hlozanka received 20 months imprisonment for allegedly obstructing state supervision of religion.

In March 1982, upon greeting five prelates from Czechoslovakia, Pope John Paul II called attention to the continuing problems of the Catholic Church in that country. The delegation of prelates headed by Frantisek Cardinal Tomasek, the Archbishop of Prague, was seeking Papal assistance in their efforts to convince the authorities to permit the appointment of bishops to fill vacancies in seven of the 12 dioceses in Czechoslovakia. The posts have been vacant for several years in the absence of an overall religious agreement between the leadership in Prague and the Vatican. Under these conditions the Church has hesitated to propose candidates for fear that this would expose them to rejection by the government, and could lead to direct government control over Church appointments.

CIVIL AND POLITICAL RIGHTS

Principle VII of the Helsinki Final Act explicitly calls on all signatory states to respect the civil and political rights of their citizens:

> The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

Not only are Helsinki signatories pledged to respect human rights, but they also are committed to this policy based on the recognition that such rights originate in the individual -- not the government:

> They will promote and encourage the effective exercise of civil, political...and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development.

This individualist approach to human rights is, of course, counter to the statist premises of Soviet socialism in which the Party leadership reserves all rights to itself.

The Right to Free Speech: The Banishment of Andrei Sakharov

In much of the world, the celebrated case of Andrei Sakharov epitomizes the dearth of civil and political rights in the Soviet Union. Recognizing the powerful impact which Sakharov has on world opinion, the Kremlin on January 22, 1980, banished him from Moscow -- without even the pretense of a trial -- to an indeterminate term of enforced isolation in the closed city of Gorky. This had the devastating effect of cutting Sakharov off not only from essential contacts with the scientific world, but also from contact with the outside world through the international press.

To compound his misery, the Soviet authorities refused to permit his future daughter-in-law, Liza Alekseeva, to join her fiance, Sakharov's stepson, Aleksei Semenov, in the United States. Fearing that Liza was being held hostage in reprisal for his ideas, Sakharov and his wife, Elena Bonner, began a hunger strike on November 22, 1981. In a test of wills, the Soviet authorities eventually bowed to world opinion and informed Sakharov on December 9 that Liza Alekseeva would be allowed to emigrate. The Sakharovs stopped their fast but remained in the hospital until December 24 to try to recover from their ordeal.

During his exile in Gorky, Andrei Sakharov has issued a number of trenchant statements on his situation which have reached the outside world:

> "Two years have passed since I was banished to Gorky. My exile and the regimen of isolation imposed upon me lack any legal basis. Perhaps my statements against intervention in Afghanistan proved to be the last straw. But the underlying cause of the overtly illegitimate repression employed against me was probably the general campaign to suppress dissent in the USSR...
>
> "These repressions, including my own exile, incontestably violate the right to freedom of opinion and the right to exchange information. These restrictions on the openness of our society impair international confidence, security and stability and violate the Helsinki Accords and other international obligations of the USSR...
>
> "My wife has been my only link to the outside world for these last two years. She has been my support throughout this difficult, paradoxical Gorky life. It is important to me that those who are working on my behalf understand the complications of her situation.
>
> "I wish to express my feelings of gratitude to my friends in the Soviet Union and abroad, and of profound concern for those who have been persecuted or are now threated with persecution. I shall continue to live in the hope that goodness will finally triumph."

In an interview with *The New York Times* April 8, 1982, Elena Bonner gave her account of her husband's situation in Gorky. *On surveillance:* "a uniformed police guard is still posted outside their apartment door on a 24-hour basis and plainclothesmen continue to follow (them) whenever they venture outside;" *On terms of banishment:* "(Sakharov) is forbidden to travel anywhere outside the Gorky (city) limits...(their small Soviet-built car, stolen two days after Sakharov announced his hunger strike in a telegram to...Brezhnev (was returned) so thoroughly stripped that (they) had despaired of getting it repaired...Public transport is poor and Dr. Sakharov tires after even short walks;" *On communication:* "(they) take strolls outside the apartment with their shortwave radio which...barely works inside...Dr. Sakharov manages to keep abreast of world affairs by listening to English-language broadcasts (of VOA)...;" *On scientific work:* "Living in isolation and continuing scientific work is extremely hard...but (Sakharov) manages as best he can...Dr. Sakharov had resumed (his) theoretical work on the origins of the universe...and had recently mailed a new treatise...to the Institute of Physics, (which) arranged the publication of three previous essays written in

Gorky;" On Sakharov's health: "The Soviet Academy of Sciences (of which Sakharov is still a member) had not responded to (Sakharov's) request that he be allowed to gain admission to a special sanatorium...in Moscow or in the Baltic republics...for the treatment of a heart condition."

Despite these strenuous Soviet efforts to silence him, Sakharov has continued to speak out on issues such as human rights, the social responsibility of scientists, and disarmament. Andrei Sakharov's eloquent appeal to the participants in the Pugwash Conference, published by The New York Times on September 10, 1982, can serve as a summary of some of his recent views. Excerpts follow:

> On the role of scientists in society:
>
> "Scientists and the international community as a whole can do a great deal to preserve peace in the world and to further international trust and security, disarmament, the progress of humanity and the defense of human rights...
>
> On the Western peace movement:
>
> "...Unfortunately, many of the public figures and groups in the West who are speaking out on the problems of peace and disarmament are, due to a variety of reasons, (insufficient knowledge of the issues or naivete, political fashion, the predominance of transient domestic political and economic factors) taking quite a different position, a position that is onesided and therefore futile and even dangerous...
>
> On detente:
>
> "...A detente in which one of the partners hides his face behind a mask is dangerous...
>
> On defense of Soviet prisoners of conscience:
>
> "...Speak out in defense of prisoners of conscience. Their number includes the ornithologist Mart Niklus, the philologists Vasyl Stus and Viktoras Petkus, the lawyers Ivan Kandyba and Levko Lukyanenko, the teacher Oleksa Tikhyi, the writer Anatoly Marchenko, Balys Gajauskas who has been sentenced to 10 years imprisonment and 5 years of exile, the computer scientist Anatoly Shcharansky sentenced to 13 years' imprisonment, the corresponding member of the Armenian Academy of Sciences Yuri Orlov, the Priest Father Gleb Yakunin, the psychiatrist Anatoly Koryagin, the pharmacist Victor Nekipelov, the Kovalyov family, the Rudenkos and the Matuseviches (both the

husband and wife in both cases), the Podrabinek brothers, the recently convicted musicologist Merab Kostava and many others. The defense of your colleagues and all convicted for their beliefs and their nonviolent activity has a most direct bearing on the free exchange of information, on international trust and on international cooperation.

On human rights and Helsinki:

> "...There must be international efforts, efforts made by all honest people to defend human rights, to overcome the closed nature of the U.S.S.R. and the other socialist countries. These efforts reflect the spirit of the Helsinki Accords and the other international agreements signed by the U.S.S.R. Soviet propaganda always claims that the international defense of human rights in the U.S.S.R. and the socialist countries constitutes interference with the internal affairs of those countries, but this is hypocrisy."

As powerful as are the words of Andrei Sakharov in the defense of human rights, there are others who risk their freedom in the same cause. In Pinerovka village, Saratov region, RSFSR, two such men, Ivan Khakhulin and Ivan Protovorov, publicly compared the promises of the Communist Party program of 1961 with the reality around them. Arrested three days later, in the summer of 1981, they were charged with "anti-Soviet agitation and propaganda" and were each sentenced to three and one-half years in strict regimen camp.

The Right to a Free Press: Samizdat, Petitions and Leaflets

Despite the campaign mounted by authorities to stifle the Soviet underground press, various unofficial samizdat journals survive and, in some cases, flourish in the USSR. The Chronicle of Current Events, first published in 1968, is probably the best known samizdat publication in the Soviet Union. Numerous Soviet human rights activists have been sentenced for their alleged involvement with the Chronicle. In recent times, Genrikh Altunyan was sentenced in Kharkov, Ukraine on March 31, 1981 to seven years strict regimen camp plus five years exile for "anti-Soviet agitation and propaganda." Tatiana Velikanova was sentenced in Moscow on August 29, 1980 for "anti-Soviet agitation and propaganda" to four years strict regimen camp plus five years exile. Another leading Soviet human rights activist, Aleksandr Lavut, was sentenced in December 1980 in Moscow to three years in camp for writing human rights appeals -- including one on the abolition of capital punishment -- for "anti-Soviet slander."

In August 1980, Aleksandr Shatravka was arrested in Tiumen RSFSR for "anti-Soviet propaganda" for a samizdat report. The Soviet authorities also launched a major drive against the samizdat journal, Searches, which published a variety of views on social and historical issues. Although editor Gleb Pavlovsky recanted at his trial in August 1982, he was still exiled for five years, while editor Yuri Grimm was previously sentenced to three years strict regimen camp for "anti-Soviet slander" in August 1980. Due to the strenuous efforts of the authorities, this samizdat journal has ceased to function. Aleksei Myasnikov, the author of a samizdat essay on the nationlity question in the USSR, "173 Testimonies of the National Disgrace," was sentenced on January 30, 1981 in Moscow to three years general regimen camp.

Soviet citizens who have advocated workers' rights in samizdat materials have also been subjected to repression. Physicist Vadim Yankov was arrested in Moscow on August 9, 1982 in connection with a samizdat essay, "A Letter to Russian Workers about the Events in Poland." Lawyer Vsevolod Kuvakin was tried for "anti-Soviet agitation and propaganda" for preparation and distribution of "The Economic Struggle of the Working Class" and, on December 23, 1981, was sentenced to one year strict regimen camp plus five years exile. Talented young poet, Irina Ratushinskaya -- who is also an advocate of workers' rights, was arrested in Kiev on September 17, 1982 and reportedly faces charges of "anti-Soviet agitation."

Samizdat publications which currently appear in Moscow include: Duel; a literary almanac, Our Contemporary; Memory, an annual historical compendium; Summa, a survey of samizdat materials; and Mirror, a pop culture journal. In addition, there are several socialist samizdat journals and various citizen's groups issue documents, such as those of Amnesty International and the Free Interprofessional Union (SMOT); Father Dmitri Dudko has resumed publication of his newsletter, In the Light of the Transfiguration. In addition, various clubs in Moscow attached to official Soviet institutes sometimes publish their own small unofficial newsletters.

In February 1982, four scientists were arrested in Tomsk, Siberia, in connection with samizdat materials: Aleksandr Kovalevsky, head of a laboratory at the Tomsk University Biological and Biophysical Research Institute, Valery Kendel, a philosopher; Anatoly Chernyshov, head of the Tomsk Procuracy laboratory for criminal investigation and translator, Viktor Artsimovich. Charged with "anti-Soviet slander," they were tried in late September 1982. Artsimovich was sent to a Special Psychiatric Hospital, Chernyshov received a three and one-half year sentence, while Kovalev and Kendel each received one-year camp terms.

Samizdat journals continue to appear in Leningrad as well, including journals concerned with cultural questions, such as 37, Hours, Metro d'Or, The Northern Post, Dialogia, and the feminist journal Maria. Club '81, the publication of the National Union of Creative Workers, appeared in late 1981. Measures have been taken against the authors of these publications as well. On February 5, 1981, Natalya Savelova, who had prepared the feminist children's publication, Phoenix, was placed in a psychiatric hospital. Soviet historian Arseny Roginsky was sentenced on December 4, 1981 to four years of general regimen camp for "falsifying documents" in reprisal for his unorthodox work with Soviet historical materials.

In Ukraine, due to particularly intense repression, there does not appear to be much samizdat activity. There have been some trials of Ukrainian activists which point to some samizdat. On August 21, 1980, schoolteacher Nikolai Krainik, founder of the Ukrainian National Front (which produced the almanac Insight and the journal Ukrainian Herald) was sentenced to seven years strict regimen camp plus three years exile for "anti-Soviet agitation and propaganda." For involvement with the Ukrainian Herald, on December 24, 1980, Aleksandr Shevchenko was given five years camp plus three years exile, Stepan Khmara seven years strict regimen camp plus five years exile, and former KGB reserve officer, Vitaly Shevchenko, a seven-year camp term plus a four-year exile term.

In the Baltic republics, unofficial literature flourishes despite attempts to destroy it. The underground Supplement for the Free Dissemination of Thought and News in Estonia is one example. Dr. Johannes Hint, former managing director of the Tallinn Construction and Technological Bureau, was arrested in November 1981 after unauthorized literature was found in his home, and reportedly will face charges of "anti-Soviet agitation and propaganda."

In Lithuania, sixteen unofficial journals flourish. Best known is the ten-year-old Chronicle of the Lithuanian Catholic Church. Other religious journals include The Way of Truth, The Roof, God and Country and The Sorrowing Christ. Publications devoted to Lithuanian national culture include: The Dawn, The Bell, The Knight, Lithuanian Archives, and Perspectives. Two journals, Alma Mater and Freedom Herald, have apparently ceased publication while three new journals have appeared since 1980: The Way of the Nation, The Voice of Lithuania, and Down With Slavery. Numerous Lithuanians sentenced for their samizdat activities include Antanas Terleckas and Julius Sasnauskas. Tried in September 1980 for "duplication and dissemination of anti-Soviet literature," Sasnauskas admitted editing The Knight and, despite his poor health, was given an 18-month term in strict regimen camp plus five years exile, while Terleckas, who admitted partial guilt, received a three-year strict regimen camp term plus five years exile.

Samizdat publications devoted to religion also appear in the USSR. The reform Baptists produce two publications: *The Herald of Truth* which has appeared for 19 years and the *Bulletin of the Council of Relatives of Evangelical Christian-Baptist Prisoners* which has come out since 1964. It also appears that the True Remnant Adventists and possibly the underground Pentecostals publish religious literature. The authorities continue to punish those involved in these activities. On June 10, 1982, Aleksandr Skubilin, accused of distributing religious literature in the Russian Orthodox center in Zagorsk, received a five-year camp term.

Another form of free expression of views involves petitions to the Soviet authorities. Such petitions, signed by thousands of people, have been used by the Crimean Tatar movement for 25 years to seek to return from Central Asian exile to their homeland. Recently, the Lithuanian Catholic movement has resorted to the same tactic. Soviet Jewish activists have also sent protest petitions to the Soviet authorities. On October 12, 1981, for example, a group of Moscow Jewish refuseniks presented a petition, signed by 95 Jews, protesting the repression of Hebrew teachers and refusenik scientific seminars. It is also reported that Aleksandr Till tried to collect signatures from Germans in Kirgizia for a petition to permit the construction of a memorial to Soviet Germans who died during World War II. Till was sentenced to 30 months in camp in May 1982. At times, petitions are mounted in support of arrested human rights activists, as for example, in July 1981 on behalf of Soviet mathematician Aleksandr Lavut, by his former colleagues at a Moscow scientific institute.

Leaflets are another type of uncensored opinion in the USSR. One theme of such leaflets is dissatisfaction with Soviet foreign policy. In the autumn of 1981, leaflets appeared in Moscow and Novocherkassk calling for freedom for Poland and Afghanistan. In March and October 1981, Moscow leaflets appeared which expressed solidarity with Polish workers, while in the spring of 1981, there were leaflets in Latvia and Georgia which linked independence for those republics with freedom for Poland and Afghanistan. On September 29, 1980, three Georgians were sentenced for distributing such leaflets. Vasha Zhgenti received a six-year camp term plus three years in exile; Zurab Gogiya received a five-year camp term plus three years exile; while Vakhtng Chitanava was handed a five-year camp term.

Political, religious or human rights issues are also the subject of such leaflets. In June 1981, leaflets appeared in Tomsk, Siberia criticizing the Soviet Communist Party. On Ukrainian political prisoners day, January 12, 1981, leaflets appeared in Kiev calling for their release On June 29, 1981, four young Ukrainians, Sergei Naboka, Leonid Milyavsky, Larisa Lokhvitska, and Inna Chernyavska, charged with "anti-Soviet slander" were each sentenced to three years in camp. In Latvia in October 1980, Teofil Kumu was sentenced to an unknown term for "anti-Soviet slander" which consisted of distributing 600 leaflets advocating religious views.

Economic grievances are also sometimes expressed via leaflets. Leaflets signed by the Democratic People's Front of the USSR appeared in Estonia, Latvia, Lithuania and Leningrad calling for a half hour of silence on December 1, 1981 and on the first working day of succeeding months. According to the Relief Center for Estonian Prisoners of Conscience in the USSR, 150 people were arrested for distributing the appeal. Four people were later sentenced to one-year camp terms for distribution of these leaflets. Valdlur Jaerve, Peeter Kuum, Siim Sade and Endel Rose were each sentenced to around one year in camp.

Foreigners are also hindered from distributing unauthorized leaflets. On June 1, 1982, American peace activist, Daniel Ellsberg, and other foreign peace activists in Leningrad were returned to their ship for handing out leaflets advocating an end to the nuclear arms race. The next day, after the ship was ordered to depart in two hours, the peace activists released balloons with other leaflets attached. The ship was immediately pulled out of Leningrad harbor by two Soviet tugs.

Freedom of Assembly: Demonstrations

In the absence of a genuine right to freedom of assembly -- except to support Party positions -- Soviet citizens have resorted to illegal demonstrations. Although such demonstrations seem to be on the increase, "ringleaders" or "instigators" usually are forced to pay the high price of imprisonment.

Probably best known in the West are demonstrations for the right to emigrate. Soviet Jewish refuseniks have often staged such demonstrations, as occurred on September 2, 1981 outside the Moscow Visa and Passport Office. For participating in a demonstration on May 30, 1981 in Kishinev, Moldavia, Vladimir Tsukerman and Iosip Lokshin were arrested, while three others lost their jobs. Leningrad refusenik, Mikhail Tsivin, was detained by the police after staging a demonstration on Red Square on March 28, 1982. The Soviet German emigration movement has also frequently resorted to group and individual demonstrations. On August 22, 1980 Ukrainian engineer, Anatoly Zinchenko, in Kharkov, Ukraine was arrested after holding up a poster calling on the Madrid CSCE Meeting to press for freedom of emigration from the USSR.

Another frequent reason for demonstrations is to show support for more general human rights causes. For staging a demonstration in support of Andrei Sakharov in Dagestan, RSFSR, mathematician Vasif Meilanov was sentenced on December 2, 1980 to seven years strict regimen camp plus two years exile. For demonstrating in Kiev to mark the fifth anniversary of Yuri Orlov's arrest, film director Viktor Monblanov was sentenced on February 10, 1982 to psychiatric "treatment." On December 24, 1981, Soviet police broke up a demonstration at the Lenin Library in Moscow to mark the anniversary of the first Leningrad "hijackers" trial in 1970 and to show support for still-imprisoned Yuri Federov and Aleksei Murzhenko. During American Baptist Billy Graham's visit to Moscow in May 1982, a woman held up posters in support of 150 Baptist prisoners in the USSR. Apprehended by the police, her fate is unknown.

Demonstrations in support of national cultural rights probably draw the largest number of participants. The ancient Georgian cultural and religious center, Mtskheta, was the site of demonstrations in April and October 1981, in which hundreds of students took part. On October 5 and 6, 1981, several hundred Estonian youths demonstrated against russification after soccer matches with Russian teams. Most recently, on September 17, 1982, about 5000 students at Tartu University demonstrated against a Soviet refusal to allow the placement of a bust of Swedish King Adolph II, founder of their university. The bust was brought there by a Swedish delegation to celebrate the university's 350-year anniversary.

The first known public neo-fascist demonstration occurred in Estonia on September 22, 1980 when a group of about 25 swastika-wearing youths shouted "Heil Hitler" among a crowd returning from a concert to celebrate Estonian liberation from German occupation. There have also been reports of a series of demonstrations by young neo-fascists in various parts of the RSFSR. About 100 people participated in such a demonstration on November 1, 1981 in the city of Kurgan, in Sverdlovskaya oblast, shouting "Fascism will save Russia." Other demonstrations were reported to have occurred in Yuzhno-Uralsk, Sverdlovsk, Leningrad and other cities. During a neo-fascist demonstration in Moscow on April 20, 1982 (the 97th anniversary of Hitler's birth), a group of 15 high school students appeared in black shirts in Pushkin Square. Several were detained by the police, while dozens of people were treated in local hospitals after scuffles with the demonstrators.

Other demonstrations have displayed nationalist aspirations by "showing the flag." For example, on November 29, 1981, in Dnepropetrovsk, Ukraine, the flag of independent Ukraine was hoisted over the office building of the local Communist Party headquarters. On Latvian Independence Day, November 18, 1981, eight Latvian schoolboys raised the flag of independent Latvia near the Liberation Monument in Riga. In Estonia, in May 1981 seven students were sentenced to one-year camp terms for "malicious hooliganism" for tearing up Soviet flags during demonstrations the previous October. Arme Lauri, Heiki Hallman, Kaido Einman, Kalev Lauri, Ivo Rosenblatt, Aleri Teesalu and Alvar Temonen; while Kalvi Koppel received a 30-month camp term.

Freedom of Assembly: Independent Citizens' Groups

Soviet authorities have little tolerance for any unofficial groups. Painters, such as Lev ("Armen") Avetisyan, have been arrested on specious grounds for organizing unofficial art shows. One of the reasons for the arrest of Jewish activist, Feliks Kochubievsky in September 1982 in Novosibirsk, Siberia, was that he had established an unofficial USSR-Israel Friendship Society in 1979. In Krasnoyarsk, Siberia, Evgeny Tretyakov, founder of an amateur health club, and member of the international Hare Krishna movement, was arrested in the middle of 1981 and later sentenced for "parasitism."

Soviet Helsinki Groups

The Soviet authorities have continued their repressive campaign against members of the Helsinki citizens monitoring groups in Moscow, Ukraine, Lithuania and Georgia, and against their affiliated groups, the Working Commission on the Abuse of Psychiatry, the Christian Committee to Defend the Rights of Believers, the Adventist Rights Group and the Catholic Committee to Defend the Rights of Believers. Since August 1, 1980, the Soviets have imprisoned 29 members of the Soviet Helsinki Groups, including seven people sentenced for a second term. There is now a total of 47 people who have been imprisoned specifically for joining the Soviet Helsinki movement, plus four people who joined the Helsinki Groups from their places of imprisonment. (Further details on the current situation of the 51 imprisoned members of the Soviet and Lithuanian Helsinki Groups is included as an Appendix.)

Since August 19, 1980, the following members of the Soviet Helsinki Groups have been sentenced to terms of imprisonment by the Soviet authorities; Moscow Helsinki Group: Ivan Kovalev, Anatoly Marchenko and Tatiana Osipova, in addition to Feliks Serebrov ~~and~~ Leonard Ternovsky (who are also members of the Working Commission on Psychiatric Abuse); Ukrainian Helsinki Group: Mykola Horbal, Ivan Kandyba, Yaroslav Lesiv, Yuri Lytvyn, Olha Heyko (Matusevych), Oksana Meshko, Vasyl Ovsienko, Petro Rozumny, Petro and Vasyl Sichko, Ivan Sokulsky, Vasyl Striltsiv, Vasyl Stus; Lithuanian Helsinki Group: Mecislovas Jurevicius, Vytautas Skuodis (U.S. citizen), Algirdas Statkevicius (U.S. citizen), Vytautas Vaiciunas; Georgian Helsinki Group: Merab Kostava; Christian Committee for the Defense of Believers: Father Gleb Yakunin; Working Commission on Psychiatric Abuse: Irina Grivnina, Anatoly Koryagin, Aleksandr Podrabinek; Group for the Struggle of the Faithful and Free Seventh Day Adventists: Rostislav Galetsky.

Before being forced to call a halt to its activities on September 8, 1982, the Moscow Helsinki Group had produced 55 new documents since August 1, 1980 dealing with the following: one on violation of the equal rights of national groups; six on denials of emigration rights; 19 on denials of "the Helsinki right to know and act upon one's rights"; 23 on denials of the right to a fair trial and four on the situation of Soviet prisoners of conscience.

Document 138, "To the Madrid Conference," issued on August 20, 1980, highlights the goals and commitment of the Moscow Helsinki Group to the Helsinki Final Act and the CSCE process. The following excerpts from this document vividly demonstrate the range of problems and concerns dealt with by the Helsinki Group activists.

On official repression of Soviet human rights activism:

"...During the five years since the Final Act was signed at Helsinki, participants in all branches of the human rights movement, not just the Helsinki monitors, have suffered from intensified repression in the form of peremptory firings, interrogations, surveillance, summons for "chats" with the KGB, official warnings, forcible confinements in psychiatric hospitals, and long sentences of imprisonment and internal exile. Heavy blows have fallen on religious, literary, charitable, scientific, cultural and professional associations including: *A Chronicle of Current Events...*; the Political Prisoners Aid Fund; the samizdat journals *Searches*, *Jews in the USSR*, and *Community*; the Working Commission on the Misuse of Psychiatry; the Christian Committee; the Initiative Group to Defend the Rights of the Disabled; the Council of Baptist Prisoners' Relatives; the Christian Youth Seminar; independent trade union associations, and nonconformist artists. National movements in Ukraine, Lithuania, Armenia and other Union Republics have been harried as well as Jews and ethnic Germans seeking to emigrate and Crimean Tatars and Meskhi striving to return to their historical homelands. Any independent thought, speech, or publication is cause for punishment. In recent years the violation of human rights has assumed the form of a massive campaign against every kind of dissent..."

On the human rights significance of the Helsinki Final Act:

"...The Helsinki Final Act is the first international agreement affirming that peace, security and detente are tied by indestructible bonds to respect for human rights. The Final Act makes plain that the defense of human rights can no longer be viewed as a country's internal affair. Human rights have become a subject for international law..."

On specific appeals to the Madrid Meeting:

..."a) confirm the integral link between detente and respect for human rights;

b) recognize as established fact that the observance of human rights is not solely a state's internal affair, but rather an international problem which falls within the scope of international law;

c) censure gross violations of human rights, pointing out the sorts of violations which are typical for different countries;

d) organize an international tribunal to hear concrete cases involving a country's violation of the rights of its own citizens;

e) acknowledge the right of Helsinki monitoring groups to function in all the participating States..."

On general human rights aims:

"...We deem inadmissable the existence of prisoners of conscience in any participating State and urge an amnesty for all prisoners of conscience (as defined by Amnesty International)..."

"...Since the authorities have labeled certain facts set forth in our documents slanderous in the course of several trials, we call for the creation of an international commission to verify our statements."

Due to a number of unbearable pressures, including the filing of criminal charges against 75-year-old retired lawyer, Sofya Kalistratova -- one of three Moscow Helsinki Group members remaining at liberty -- Elena Bonner called a halt to the Group's activities at a press conference on September 8, 1982. Kalistratova, who suffers from a severe heart condition could not survive any term of imprisonment.

Document 195 of the Moscow Helsinki Group, dated September 6, 1982, explained why the group had decided to cease its activity:

"On July 31, 1975, the Soviet Union, European countries, the United States and Canada signed the Final Act of the Helsinki Conference. In May 1976 the Moscow Group to Promote Soviet Compliance with the Helsinki Accords was organized. The Group's work consisted of the preparation and publication of documents containing information on violations of the rights of Soviet citizens and groups -- rights which have been spelled out in the Helsinki Final Act and other international agreements signed and ratified by the Soviet government.

"In the course of its work, the Moscow Helsinki Group compiled and published 194 documents. They were all addressed to the heads of the states which had signed the Final Act. Soon after the founding of the Moscow Group, similar Groups were organized in Ukraine, Lithuania, Armenia and Georgia, and also in several Western countries. Thus, the Helsinki movement became international in nature..."

"The Helsinki Groups in the Soviet Union were subjected to harsh persecution from the moment they appeared..."

"After Ivan Kovalev's arrest on August 25, 1981, only three members remained active in the Moscow Helsinki Group. The Group was placed in a situation which made further work impossible."

"On December 23, 1981, a criminal case was initiated against Sofia Kalistratova, one of the three remaining Group members. On September 6, 1982, she was charged under article 190-1 of the RSFSR Criminal Code (slandering the Soviet system). The Moscow Helsinki Group's documents 69-181 constitute the principal grounds for that charge."

"In this difficult situation, the Group cannot fulfill the responsibilities which it assumed, and under pressure from the authorities, it is forced to end its activities."

Other Helsinki Groups in the USSR and Lithuania have been shattered by the relentless campaign of the Soviet authorities. Only three members of the Ukrainian Helsinki Group are at liberty: Stefaniya Shabatura, Vasyl Romanyuk, and Iosif Zisels, and all three previously had been imprisoned. Only Ona Lukauskaite-Poskiene, 76, of the Lithuanian Helsinki Group has not been imprisoned. The Armenian and Georgian Helsinki Groups no longer function as groups, although some individuals are still active.

All six members of the Working Commission on Psychiatric Abuse are now imprisoned. The most active members of the Adventists' Rights Group and Christian Committee are in camps. In effect, it is only the Catholic Committee in Lithuania and the Invalids' Rights Group which continue their work. Only the high level of popular support enjoyed by the Catholic church in Lithuania so far has protected the eight priests of the Catholic Committee from being imprisoned by the authorities. (Catholic layman, Vytautas Skuodis, joined the Catholic Committee after he had been imprisoned.)

Even in prison, individual members of the Helsinki Groups continue to support human rights. The moral example set by the Helsinki movement has been of incalculable value in providing the impetus for other human rights initiatives in the Soviet Union, Poland, Czechoslovakia and even in the West . The information collected by these courageous groups greatly has increased the knowledge available to all CSCE signatories of the gamut of human rights transgressions in the USSR, enabling the world to learn about the dearth of fundamental freedoms for the vast majority of the Soviet population.

Amnesty International in the USSR

The leader of the Moscow section of Amnesty International is Georgy Vladimov, a well known Russian writer. Like other human rights activists, he repeatedly has been subjected to official harassment, including a house search on February 5, 1982. While official pressure induced mathematician Vladimir Albrekht to withdraw from the Moscow Amnesty section on July 20, 1981, at least six new people joined in August 1982: Vladimir Gershuni (who was later arrested), Pinkhos Podrabinek, Fyodr Kizelov, Sergei Gitman, Seitkhan Sorokina, and Oleg Popov (the latter two have since emigrated to the West).

The Moscow section of Amnesty International has also begun to issue its own *samizdat* bulletins. Of these three, two deal with Amnesty policy and administrative questions; the other, authored by Pinkhos Podrabinek, urges the general adoption of the Amnesty term "prisoner of conscience" rather than the more usual "political prisoner" which Podrabinek feels has narrower connotations.

The Public Group for the Right of Freedom of Emigration

This group, through its *samizdat* publication, *Information Sheets,* has called on the Soviet authorities to formulate and publish emigration laws and procedures which would be applicable to all Soviet citizens, regardless of national origin or political status. Members of the Group have been subjected to numerous acts of repression, particularly confinement to psychiatric detention. In February, 1981, for example, three members of the Group were placed in psychiatric hospitals: Baptist Andrei Korolev from Smolensk, RSFSR; and two Pentecostals from Vilnius, Lithuania, Tamara Boyarskaya and Eduard Bulakh. In September 1981, Bulakh was given a one-year camp term and now faces charges of "anti-Soviet slander." Another Group member, engineer Georgy Shepelev, was arrested in February 1981 and sentenced to a six-month camp term. The Group leader, Pentecostal Vasily Barats from Moscow, repeatedly has been placed in psychiatric hospitals and now reportedly is in pre-trial detention in Rostov-on-Don.

Independent Political Groups

In Latvia and Estonia, 1981 saw the trials of several persons connected with independent political groups. Estonian Vello Kalep was charged with writing a document requesting official permission to establish a social democratic party in Estonia. For this and other "offenses," on March 17, 1981 he was sentenced to four years strict regimen camp. In May-June, 1981 a major trial was mounted in Latvia against engineer Juris Bumeistars, the leader of the underground Latvian Social Democratic Party, which is a member of the Socialist International. Bumeistars, 62, had worked in a classified experimental program on a fishing collective near Riga and apparently was charged with giving foreigners secret information about his work. On June 5, 1981, Bumeistars was sentenced to 15 years strict regimen camp for "espionage." A co-defendant, Dainis Lismanis, received a ten-year camp sentence for the same "crime."

In April and June, 1982, several young men in the Soviet establishment were arrested in Moscow and accused of publishing *samizdat* Eurocommunist-leaning journals. One, *Socialism and the Future,* apparently presented specific criticisms of Soviet policies, while the other, *Variants,* was concerned with a theoretical analysis of social problems. Those arrested included: Andrei Fadin, 29, a Latin American history specialist in the Institute of World Economic and International Relations (IMEMO) (Fadin is also charged with using the typewriter of IMEMO director, N.N. Inozemstev to reproduce articles by Santiago Carrillo, the Spanish Communist leader); Pavel Kudyukin, 29, an IMEMO graduate student; Yuri Khavkin, 33, a research engineer; Vladimir Chernetsky, 32, a researcher at the Institute for Chemical Physics; and Mikhail Rivkin, 28, oil research engineer. The "Moscow socialists" reportedly will face charges of "anti-Soviet agitation and propaganda" at a trial in late October 1982.

The Group to Establish Trust Between the USSR and the USA

On June 4, 1982, an unusual citizens' initiative was launched in Moscow at a press conference in the apartment of Sergei Batovrin, an artist. Batovrin announced that he and 14 other Soviet citizens had organized the Group to Establish Trust Between the USSR and the USA. Among the group founders are engineers Maria and Vladimir Fleishgakker; physicist Viktor Blok; mathematician Sergei Rozenoer; physicist Yuri Khronopulo; dental technician Mikhail Ostrovsky and his wife, Lyudmila, a linguist (they have since emigrated); psychiatrist Igor Sobkov; physicist Gennady Krochik; mathematician Boris Kalyuzhny; and geologist Yuri Medvedkov and his wife, Olga.

At this first meeting, the Group announced the following aims:

-- public television discussions between U.S. and Soviet representatives to be shown in full in both countries, with viewers able to phone in questions;

-- a common program for "peace teach-ins" with special textbooks obligatory in both countries;

-- a travel exchange program for students;

-- a pen pal program;

-- the opening of a Soviet cultural center in Washington and an American center in Moscow;

-- creation of a Soviet-American mediation bureau to facilitate binational marriages and family reunification;

-- creation of a Soviet-American medical center to conduct joint research;

-- regular Soviet-American space flights; and

-- the creation of a Soviet-American institute of public opinion to conduct independent polls in both countries on questions relating to mutual trust and peace.

In addition, the Group has said that one of its primary aims is the establishment of a four-sided dialogue in which, not only governments, but also the Soviet and American publics would participate. The Group also hopes to launch an independent campaign for disarmament -- including calling on the Soviets to declare

Moscow a nuclear free zone -- in cooperation with the other initiatives of independent peace movements in East Germany, Hungary and the USA. Asserting that they are not dissidents, the Group members declared that any persecution of them would only be the result of a misunderstanding.

By mid-June, the "misunderstanding" had already occurred. All the Group members in Moscow were called into police stations and told that their activities were considered "provocative, anti-social and illegal." They were all threatened with criminal prosecution and several, including Batovrin, were put under house arrest. Telephones were disconnected. "Accidents" occurred involving Group members. A meeting of the Group with the members of a visiting Scandinavian Womens' March for Peace in Moscow was thwarted by the authorities. On August 6, 1982, Batovrin was placed in a psychiatric hospital and forced to take disorienting "medicine." The day after protests by leading American peace activists, he was released on September 7.

The Group to Establish Trust apparently has developed considerable popular appeal. According to the U.S. Helsinki Watch Committee, in early October, the Group revealed that 500 people in various cities have signed Group documents. Affiliate groups have been set up in Novosibirsk, Leningrad and Odessa. In Moscow, the original members have been joined by others.

In October, The Group to Establish Trust issued some new proposals:

-- that Soviet and U.S. journals be readily accessible for personal subscription in both countries;

-- that foreign mail be handled in accordance with international standards; and

-- that there be guarantees of embargo-free export of agricultural products, medicine and medical equipment, and equipment for the extraction and supply of raw materials, including gas, oil and coal.

Later that month, 24-year-old Group member, Oleg Radzinsky was arrested reportedly for "anti-Soviet agitation." Noted Russian dissident in exile, Igor Ogurtsov, has said that he thinks the establishment of the Group is a new development of major importance for the USSR.

Those people, both in the West and the Soviet Union, who say that the struggle for civil and political rights in the USSR has been crushed do not take into account such new organizations as the Group to Establish Trust. The massive Soviet campaign to eradicate the Helsinki Monitoring Groups and other human rights movements -- in cynical defiance of Moscow's obligations under the Helsinki Final Act -- has only given rise to the birth of new groups and movements dedicated to the same purposes.

ECONOMIC AND SOCIAL RIGHTS

Principle VII of the Helsinki Final Act calls on all signatory states to safeguard the economic and social rights of their citizens:

> They will promote and encourage the effective exercise of...economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development.

As with the other fundamental human rights pledged in the Final Act, Helsinki signatories are committed to a concept of economic and social rights which is inherent to the individual, not the state.

Forced Labor

The International Labor Organization (ILO) has long been concerned with Soviet violations of its covenants prohibiting state-imposed forced labor. ILO covenants have the status of international law, therefore, not only Principle VII but also Principle X, "Obligations under International Law," define Soviet obligations in regard to the Final Act.

In recent years, ILO concern according to the U.S. Labor Department, has focused on two aspects of Soviet legislation: the anti-parasite provisions and the conditions under which members of collective farms can leave. The ILO Conference Committee on the Application of Conventions and Recommendations (CACR) repeatedly has questioned Soviet representatives on the admissability of Article 209 of the RSFSR Criminal Code which defines a "parasite" as someone who lives off unearned income, is unemployed, earns money through illegal means, or evades socially useful labor. The standard Soviet response to ILO criticism has been to assert that the "anti-parasite" provisions are directed at fortunetellers and gamblers to which the ILO has responded by pointing to the use of this law against political activists. In 1980, however, the Soviet representative at the ILO agreed that the "anti-parasite" provisions should be clarified; nevertheless, in 1980 and 1981, there were no clarifications forthcoming.

According to Soviet law, members of collective farms cannot leave unless the management committee and a general _kolkhoz_ meeting give their consent. Furthermore, there is a Soviet legal requirement that _kolkhoz_ workers cannot take up other employment without presentation of official work books which are kept by the collective farm management. Repeatedly, the ILO has called on Soviet representatives to change these restrictive provisions; five times the Soviets have promised to solve the problem. Most recently, in 1982, the Soviet government referred to a March 4, 1982 decree mandating timely consideration of a member's request to leave the collective farm as evidence of Soviet compliance with ILO provisions. At present, this issue remains unresolved and will be the subject of continued ILO concern.

Initiated by the Frankfurt-based Society for Human Rights, there has been much recent speculation on the possibility that the Soviet authorities are employing forced labor in the construction of the Yamal gas pipeline. Based on past Soviet practice, it is likely that the Soviets are relying on underpaid and overworked prisoners to perform work such as clearing the way for the pipeline, although there is no actual proof of this. In an unusual and positive step, the Soviet Central Council of Trade Unions on October 25, 1982 invited three ILO officials to enter into "a dialogue" on living and working conditions on the pipeline sites, according to The Washington Post on November 10, 1982.

A State Department report, issued in November, 1982, claims that 1.5 percent of the Soviet population, or four million Soviet citizens, are now engaged in various forms of forced labor:

-- About 2 million of these are confined, 85 percent in forced labor camps -- of which there are over 1,100 -- and the remainder in prisons.

-- Approximately 1.5 million, convicted of crimes for which they could have received sentences of confinement, have been sentenced instead to probation with "compulsory involvement in labor." Most of them are working at construction jobs far from their homes.

-- About 500,000 have been paroled from confinement but remain obligated to perform forced labor for the remainder of their terms. Many of them also are working at construction sites.

-- In addition an undetermined number are sentenced to "correctional tasks" without confinement; they are working at their own jobs for reduced pay or in more menial jobs for low pay while continuing to live at home.

Unofficial sources inside the Soviet Union, however, give higher estimates of the number of people engaged in forced labor in the USSR. According to the unofficial Soviet trade union, the Independent Interprofessional Workers Association (SMOT), there are six million forced laborers in the Soviet Union. Prison labor is employed, basically, by three major directorates: the Corrective Labor Administration, the Special Forestry Administration, and the Special Administration for Construction of BAM (Baikal-Amur Railway Line). The Corrective Labor Administration controls over 1,100 camps throughout the USSR, 843 of which are in the RSFSR. These corrective labor facilities contain five million persons, with another million assigned to the forestry and BAM administrations.

Strikes

Unresolved economic and social problems have led to a number of strikes in the Soviet Union. In February 1981, about fifty truck drivers in southern Estonia went on strike to demand pay increases and improved working conditions. Two strikes reportedly broke out in March and April 1981 in an agricultural machine construction plant in Kiev. The first strike was set off when the plant management attempted to raise the output quota per worker without increasing salaries; the second, to protest the extended lack of water in the area where the plant was located. At about the same time, workers in a Kiev cement plant refused to work until their recently increased quotas were rescinded. Another strike took place in Kiev in August 1981, when workers at the Kiev Motorcycle Works struck for two days over wage scales and pay bonuses. In all these cases, the workers' demands received at least some redress from the authorities.

Several strikes were reported in the city of Sverdlovsk to protest food shortages at factories (Soviet workers depend on factory cafeterias for some of their meals). Food shortages are also the cause of work stoppages in such divergent locations as Togliatti, Naberezhnie Chelny, the Donetsk coal mines, Kiev, Ordzhonikidze and Tallinn.

Two work shifts at the Zhdanov bus factory in Pavlovsk, Leningrad oblast, struck in November 1981 over economic complaints. In March 1982, 1200 Finnish guest workers in the Russian mining village of Kostomusska returned to work after a month-long strike, having gained pay increases and an exemption from working outdoors in extremely cold temperatures.

Unofficial Labor Unions

There have been two attempts to form independent trade unions in the Soviet Union, both dealt with harshly by the authorities. Vladimir Klebanov, leader of the Association of Free Unions of Workers (AFTU), has been held in psychiatric confinement since February 1978. Subjected to heavy drug treatments at the Dnepropetrovsk Special Psychiatric Hospital, in early 1982 Klebanov reportedly was transferred to an unknown destination.

The Free Interprofessional Association of Workers (SMOT) continues to publish samizdat bulletins about workers' rights and on political rights in the Soviet Union, although many of its participants have been jailed, harassed, or forced to emigrate.

One of the SMOT founding members, lawyer Vsevolod Kuvakin, was sentenced in December 1981 to one year strict regimen labor camp and five years internal exile. Another SMOT organizer, Vladimir Skvirsky, was rearrested while serving a five-year exile term and given an additional year and one-half in a labor camp. SMOT member Mark Morozov was arrested while in exile and sentenced in January 1981 to eight years strict regime labor camp and five years internal exile. Non-conformist artist and SMOT member

Mikhail Zotov was placed in psychiatric detention for an indefinite period in July 1981, for "anti-Soviet slander." Founding SMOT member Albina Yakoreva was forced to emigrate in August 1982.

In June 1982, a major KGB crackdown was launched against SMOT activists: Ilya Geltser, Vladimir Gershuni, and Valery Senderov were arrested in Moscow; Irina Ratushinskaya was arrested in Kiev. Extensive searches were carried out in both cities and in the Novgorod region, and numerous people were called for questioning.

SMOT bulletins originally were intended to focus on specific violations of Soviet law vis-a-vis the Soviet worker. Recent SMOT bulletins have dealt with broader socio-economic and political issues: the problems of the Soviet economy under the socialist system; the privileged position enjoyed by the Party elite; and pervasive corruption in Soviet society and its pernicious effect on the worker. With the suppression of such groups as the Helsinki Monitoring Groups and the Working Group to Investigate the Use of Psychiatry for Political Purposes, SMOT bulletins also have dealt extensively with such topics as psychiatric abuse, prison conditions, and human rights violations. For example, a SMOT bulletin, issued in December 1981, examined the possible effect of the proposed work stoppage in Estonia on December 1, 1981 (and supported by SMOT locals in the RSFSR); and a November 16, 1982 government decision to maintain existing retail prices, despite increasing wholesale prices. This Bulletin also calls upon Soviet citizens to boycott the traditional "Lenin Subbotniks" (working Saturdays without pay). Two subsequent Bulletins condemned Soviet government involvement in the suppression of Solidarity, the independent Polish labor union.

Other Socio-Economic Problems

Soviet citizens, some holding prestigious positions in the Party, have made efforts to protest official corruption. Dr. Konovalov, chief physician for the 1980 Moscow Olympics, became concerned about inadequate construction standards in a clinic, part of a new Moscow athletic complex. Resisting official pressure to approve such standards, for two years Konovalov protested this problem and corruption in the KGB and the Ministry of Health. Arrested in December 1981, Konovalov was sent for psychiatric examination to the Serbsky Institute for Forensic Psychiatry in April 1982.

Another case is that of Aleksei Nikitin, an electro-mechanics engineer who angered local mining officials with his exposure of official indifference to unsafe working conditions in the Donbass Region mines. In January 1981, Nikitin was placed in psychiatric confinement (for the third time) where he has remained to this time. On November 5, 1981, the Financial Times reported that Nikitin was being treated wth heavy doses of drugs and was believed to be going blind. In March 1982, Nikitin was reported transferred from the Dnepropetrovsk Special Psychiatric Hospital to the corresponding facility in Alma-Ata.

Initiative Group for Invalids' Rights

Despite harassment from the authorities, the Initiative Group for Invalids' Rights continues to advocate the cause of the handicapped in the Soviet Union. There have been numerous cases of repression: Yuri Valov, author of the samizdat essay, "Word of an Invalid," was placed under involuntary psychiatric detention in February 1981, where he remains. In March 1981, the KGB allegedly set fire to Yuri Kiselev's small workshop in the Crimea. Prior to this, Kiselev was beaten up by two unidentified persons near his home. After numerous run-ins with the police, and protests to the Soviet government and other international bodies on behalf of the handicapped, Valery Fefelov was expelled from the Soviet Union in October 1982.

Nevertheless, through 1981, the Group for Invalids' Rights succeeded in disseminating three samizdat bulletins on issues affecting the handicapped, and on human rights concerns. A Group Bulletin, issued in March 1981, deals with Soviet government lack of commitment to the observance of the U.N. International Year of the Handicapped (Pravda first referred to it this year observance for the first time in a brief item on July 6). The Bulletin also describes a trip to Moscow by Group member, Faizulla Khusainov, and his attempts to speak with health officials and representatives of the General Prosecutor's Office. There is also a letter in defense of Psychiatric Working Commission member Feliks Serebrov, signed by three of the Group founding members, Kiselev, Fefelov, and Olga Zaitseva.

A Group Bulletin issued on July 12 contains a petition to President Brezhnev and Minister of Health Konarova to create an All-Union Association of Invalids similar to the official All-Russian Association of the Deaf and Audio-Impaired. It also makes reference to particular invalids who are suffering repression by the authorities, including Ukrainian Helsinki Group member, Irina Senyk. A Group Bulletin, released in December 1981 contains a defense of invalid and psychiatric abuse victim, Nikolai Baranov, and describes the psychiatric incarceration of invalid Vladimir Prokopchuk.

Group members have also disseminated appeals on such questions as: a request to foreign radio stations to include broadcasting devoted to issues relating to the handicapped and a call for an international commission to investigate and facilitate aid for handicapped victims of the Afghanistan-Soviet war. In April 1982, Kiselev, Fefelov, and Zaitseva appealed to the International Commission on Human Rights and the European Organization for Aid to the Handicapped on behalf of two Soviet invalids who undertook a hunger strike to gain permission to emigrate.

Russian Social Fund

Despite harassment by the authorities, the Russian Social Fund for the Aid of Political Prisoners and Their Families continues to give material aid to Soviet prisoners of conscience and their families. The fund is comprised of royalties from the publication of Aleksandr Solzhenitsyn's Gulag Archipelago, supplemented by contributions from abroad and within the Soviet Union. Foreign contributions are transferred in full compliance with Soviet law and international currency regulations to the Fund's distributors, who in turn give the monies to needy prisoners and their families.

Moscow Helsinki Group Document No. 190 describes the situation of the Russian Social Fund as of December 1981:

> Until recently, only the Fund's distributors have been subjected to persecution...Now, many people who participate in it have begun to feel pressure...there are constant house searches, after which food, money and other things are confiscated; they are called down to KGB headquarters, fired from work.

Fund distributor Sergei Khodorovich has been subjected to searches, interrogations, dismissal from work, and administrative arrest. As a result of possible Fund activities, Nina Lisovskaya lost her job due to "reduction in force" and had her telephone disconnected. Roza (Rushanya) Fedyakina was ordered banished from Moscow in December 1981 for her connection with the Fund. (In March 1982, however, the banishment decree was lifted by a higher court and she returned to Moscow.)

In December 1981, journalist and Fund participant Valery Repin was arrested. In June 1982, Repin reportedly was giving full and open testimony about his activities, including voluminous information about the Russian Social Fund.

On August 18, 1982, Olena Antoniv Krasivska, wife of imprisoned Ukrainian Helsinki Monitor Zinoviy Krasivsky, was accused in a Lvov newspaper of stealing money from the Russian Social Fund. A few days later, Olena Antoniv was detained by the authorities.

CULTURAL AND ETHNIC RIGHTS IN THE USSR

Principle VII is explicit about the participating States' obligations to safeguard ethnic minorities in their countries:

> The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere.

On the legal level, the Soviet Constitution contains impressive guarantees of the individual, cultural and national rights of all Soviet citizens: Articles 34 and 36 contain specific and unequivocal language on the equal status of individual Soviet citizens, regardless of race, nationality or language. While these provisions of the Constitution address individual rights, other articles speak to the rights of the 15 republics in the Union of Soviet Socialist Republics. These articles proclaim that the Soviet Union is a "voluntary association of equal Soviet Socialist Republics" (Article 70), that "a Union Republic is a sovereign Soviet socialist state" (Article 76), and that "each Union Republic should retain the right to freely secede from the USSR" (Article 72).

These constitutional guarantees appear to meet both the letter and spirit of the Final Act. Unfortunately, however, the reality of cultural and ethnic rights in the USSR bears little resemblance to the reassuring promises of the Soviet Constitution.

In the Soviet Union, there are 125 million non-Russians who speak some 69 languages. Indeed, Article 36 of the Soviet Constitution refers to the equal rights of all Soviet citizens "to use their native language and the language of other peoples of the USSR." Current policies of the Soviet government, however, cast doubt on its commitment to protect the integrity of all national languages and cultures in the USSR.

Protests from various parts of the Soviet Union testify to the continuing frustration of many non-Russian nationalities. An order of the Soviet Ministry of Education decreed that by September 1, 1980 even pre-school children, regardless of nationality, were to begin the study of Russian, and that other measures be undertaken to improve Russian-language instruction in all schools. Other measures called for the preferential use of Russian in higher education at the expense of local languages. Expressions of wide-spread dissatisfaction at such policies have been voiced in Georgia and Estonia; unofficial writings from Ukraine and Lithuania also reveal concern with russification.

The Baltic States

One such incident was a soccer match in Tallinn in which over 1,000 young people staged a protest demonstration on September 22, 1980. The initial cause of the demonstration was the authorities' last minute refusal to permit a performance by a rock group, Propeller, since nationalist sentiments allegedly were detected in its lyrics. A clash between demonstrators and police followed, and several students were expelled from school.

Growing out of this first clash, larger youth demonstrations in Estonia followed. On October 1 and 3, 5,000 young people, mostly high school students, waved the banned Estonian national flag, shouted nationalist slogans and demanded better food at school. After the crowd approached some government buildings, police moved in, beating some protesters and arresting 150 -- all but ten were later released. On October 7-8 there were new demonstrations in Tallinn; on October 10 there were disturbances in Parnu and Tartu.

As a countermeasure, the Soviet authorities organized parents' meetings to lecture parents on how to discipline their children. On October 14, the republic prosecutor announced that criminal proceedings would be initiated against the instigators of the demonstrations.

In response to these demonstrations -- and to how the situation was handled -- forty leading Estonian intellectuals sent an open letter on October 28, 1980 to Pravda and to Estonian newspapers. The letter, while deploring the recent violence, sought to draw attention to "the deeply rooted causes" which sparked those events. Some of the causes cited were:

-- the rapid proportional decline of the Estonian segment of the population, particularly in Tallinn, where Estonians are becoming a minority nationality group;
-- restrictions on the use of the Estonian language;
-- the compulsory use of Russian in academic papers about the Estonian language and literature;
-- the exclusive use of Russian at the celebrations of the fortieth anniversary of the Estonian SSR;
-- the growing scarcity of Estonian-language journals and books;
-- unilateral propagation of bilingualism among Estonians;
-- the appointment of persons with inadequate knowledge of Estonian culture to senior positions concerned with national and sociocultural problems...

One Estonian dissident, Viktor Niitsoo, a historian at the State Planning Institute for Cultural Monuments in Tartu, was charged with discussing these disturbances in a telephone call abroad. On this and other charges, Niitsoo was sentenced on April 24, 1981 to two years in strict regimen camps and two years in exile. In May 1981, five Estonian schoolboys were sentenced to one year of imprisonment for tearing up the Soviet flag during the October disturbances.

At the same time, there is some evidence that the Soviet authorities have become more sensitive to widespread concern among Estonians over the status of their national culture. For example, a May 17, 1982 article in a Tallinn newspaper, Rahva Haal, by engineer Lyudmila Maisurian praised a local school for teaching Estonian to Russian-language students. This article is one of many signs that the Estonian authorities have taken some steps to redress the imbalance of attention to Russian over Estonian.

Further evidence of increased sensitivity to genuine bilingualism emerged during a speech by Latvian First Party Secretary, Avgust Voss, at an All-Union conference in Riga. Voss outlined various programs initiated in Latvia in recent years to address the nationality problem, stressing that political rallies are always conducted in both Latvian and Russian. Further, Voss stated it is important that Russians and indigenous natives learn the language.

Still, despite some positive signs in Estonia, nationalist dissatisfaction has erupted in the other Baltic republics. According to Western press reports, after a September 23, 1982 soccer match with a Russian team, a crowd of several thousand people went through the streets of Vilnius, the capital of Lithuania, singing nationalist songs. The police dispersed the crowd, and an unknown number of people were arrested. In addition, indications of anger at russification in Lithuania can be seen in the February 1982 issue of *Ausra,* an unofficial publication. One article, "Enough Russification in Lithuania," reveals that one cannot communicate in Lithuanian in some state agencies; mentions the great shortage of books in Lithuanian; and complains that maps are no longer being published in Lithuanian. The article notes, however, that it is in education that russification is felt most strongly:

> Why should our children begin to learn the Russian language at the age of six, when little Russians in Russia take up a foreign language only when they are eleven? Why don't we have equal rights with the Russians?... As a nation, we are not inferior or worth less than the Russians, and we are not going to renounce our language.

Another article, "The Millenial Traditions of Genocide," attempts to put russification in historical perspective, maintaining that although its methods have changed, its aim is the same:

> Russification...and gradual fusion with the Russian nation is explained not as a return of Russian lands to the shelter of Mother Russia but as "a brotherhood" or "a rapproachement" of nations, as economic and cultural collaboration on the road to a common goal -- communism.

Soviet official reaction to such anti-State expressions can be very harsh. Lithuanian activist and poet, Gintautas Iesmantas, was accused of extreme nationalist views in his articles in the unofficial publication, Perspektivos, and was sentenced on December 22, 1980 to six years of strict regimen camp plus five years exile for "anti-Soviet agitation and propaganda."

Georgia

In Soviet Georgia, after popular demonstrations in April 1978, a new republic constitution was promoted which reiterated guarantees of the equal status of Georgian and Russian. Nevertheless, there is evidence of continued popular concern with the preservation of the Georgian language and culture. In June 1980, 365 well-known Georgian intellectuals sent an open letter to Soviet President Brezhnev and Georgian Party Secretary Shevardnadze requesting more improvements in the status of the Georgian language and augmented programs for Georgian history in schools. One of the signatories of this letter, literary critic and director of the Rustaveli theater, Akaki Bakradze, was dismissed from the Georgian State University where he taught courses on Georgian literature. About 1,000 students gathered outside the office of the rector of Tbilisi State University on March 23, 1981 and successfully demanded that Bakradze be reinstated.

According to unofficial reports, protests in Georgia have focused on two main issues: the status of Georgian culture and alleged discrimination against Georgians living in certain areas. A student demonstration on March 30, 1981 asked for erection of monuments to major figures in Georgian history and for improved teaching of Georgian history in schools. Another 300 students gathered at the Mtskheta cathedral to mark the anniversary of the April 1978 demonstrations. Police harassment of this gathering led, in turn, to a letter to Georgian Party Secretary Shevardnadze signed by 100 students. Another letter signed by 100 students was sent to Party officials protesting recent persecution of all demonstrators and demanding the release of 66-year-old Dr. Nikolai Samkharadze. A member of the Georgian Action Group for the Defense of Human Rights, Samkharadze had been arrested on September 23, 1980, and is in the notorious Dnepropetrovsk Special Psychiatric Hospital.

In mid-October 1981, about 200 people, mostly students, protested "obstacles created by the authorities to the study of the Georgian language and culture" in Mtskheta. Five of these protesters stood trial in late January 1982. Tamara Chkheidze, Marian Koshkadze, Marina Bagdabadze, Nana Kakabadze, and Irakli Tsereteli, were all accused of "provocative behavior", organizing a "mob" and collecting signatures on a petition. All five young defendants were given five-year suspended sentences.

At the same time, the Georgian authorities have undertaken a few positive initiatives. A permanent commission of the Georgian Council of Ministers meets regularly to establish literary norms for the Georgian language; specific measures have been implemented to improve the teaching of Georgian, including a new series of textbooks. Such measures are supported in an article in the March 29, 1981 Kommunisti by literary critic, Zurab Chumburidze, who cites specific problems such as the lack of certain dictionaries and a shortage of Georgian literary classics. He calls on the authorities to provide facilities for sending telegrams in Georgian script and to publish telephone directories in Georgian.

Armenia

Nationalist ferment in Armenia was confirmed by two trials in 1981. On March 23, 1981 in Yerevan three Armenian nationalist activists went on trial: Aleksandr Manucharyan, author of an unofficial essay, "All About the National Question" and "Imperialism"; art teacher Ashot Apikyan; and German-language teacher, Smbat Melkonyan. Tried for "anti-Soviet agitation and propaganda", Manucharyan was sentenced to four years strict regimen camp plus two years internal exile, while Apikyan and Melkonyan who both confessed their guilt, each received two-year terms of internal exile.

On April 9, 1981, five other Armenian nationalists were sentenced for "anti-Soviet agitation and propaganda": Ishkhan Mkrtchyan and Marzpet Arutunyan to seven years strict regimen camp plus five years exile; Vartan Arutunyan to five years strict regimen camp plus three years exile; Samvel Egiazaryan to four years, and Oganets Agababyan to three years strict regimen camp. The five were accused of creating the Union of Young Armenians which aimed at the secession of Armenia from the Soviet Union. Only Agababyan was persuaded to recant.

Ukraine

Members of the two non-Russian Slavic nationalities in the Soviet Union, Ukrainians and Belorussians, also have actively defended their linguistic and cultural rights. Ukrainian political prisoner, Yuri Badzio, smuggled a document dated February 22, 1981, out of labor camp, stating: "...The openly assimilationist program of the USSR Communist Party, in effect, deprives the non-Russian peoples of the country of the right to their own ethnic future...(T)he falsification of Ukrainian history... (in) the doctrine of the union of Ukraine and Belorussia with Russia, essentially signifies a theoretical denial of Ukrainians and Belorussians as separate ethnic entities...(t)urning the Russian language, particularly since the mid-1970's, into the basic language of Ukrainian society...(and resulting in) The harsh persecution of people who express the slightest dissatisfaction with the national status of the (Ukrainian) people."

An unofficial report from Ukraine reveals the scale of the Soviet campaign against punishment of expressions of Ukrainian nationalism. According to the report, in late April, 1981, Vitaly Fedorchuk, then head of the Ukrainian KGB, boasted in a speech to his colleagues: "In the last year a great task has been accomplished: the destruction of Ukrainian nationalists. So as to avoid unnecessary international friction, most of these people were sentenced for criminal offenses." One such example occurred in early 1982: schoolteacher Vasyl Mazurak was sentenced to ten years of special regimen labor camp plus five years internal exile for "anti-Soviet agitation and propaganda." Mazurak, who lived in the village of Vinograd in Ivano-Frankivsk region, was alleged to have distributed nationalist emblems, including the Ukrainian flag.

Despite these draconian measures, there is still popular support for Ukrainian national rights; there are unofficial reports of massive disturbances in early 1981 in Ivano-Frankivsk, Western Ukraine when angry crowds called for both bread and national freedom.

Even Russians who espouse a return to genuine Russian -- as opposed to Soviet -- national traditions are liable for imprisonment. Leonid Borodin, who had already spent six years in camp for his Russian nationalist views, was arrested on May 12, 1982, reportedly for "anti-Soviet agitation and propaganda." In September 1982, party official Sergei Semanov, chief editor of the publishing house, "Molodaya Gvardiya," and editor-in-chief of the journal, Chelovek i Zakon (Man and Law) published by the Soviet Ministry of Justice, also reportedly was arrested for the expression of smiliar views.

Ethnic Minorities

Ethnic tensions also exist in the multi-national Caucasus, as revealed in a violent demonstration in the North Ossetian capital, Orzhonikidze, on October 23-25, 1981. According to various Western press reports, the relatives of a murdered Ossetian cab driver went to Party headquarters to demand a meeting wth Party First Secretary Kabaloev. When Kabaloev refused to meet with these people, a crowd of several thousand gathered and was driven from the square by the police. The protestors occupied a government building and attacked the police with stones. Tanks were called in and tear gas dispersed the crowd. Finally, Mikhail Solomentsev, Chairman of the RSFSR Council of Ministers was sent from Moscow and promised to investigate the grievances, including discrimination against the local Ingush by the Ossetians (who were alleged to have cooperated in the Stalin-ordered Ingush deportation in 1944). Likely as a result of this incident, Kabaloev has been removed from office and replaced by Vladimir Odintsov, an ethnic Russian.

In addition, however, to linguistic, cultural and discrimination faced by all non-Russian nationalities in the Soviet Union, there are at least five ethnic groups denied territorial status in the USSR: Jews, Germans, Crimean Tatars, Meskhi and Gypsies. The designation of a territorial base brings certain benefits in terms of schools, publications and cultural opportunities.

A recent incident in Moldavia points to ethnic tensions with local Gypsies. According to the _USSR News Bulletin,_ in mid-July 1982, there were violent clashes -- during which several people were killed -- in the city of Soroki and the village of Ataki. Although the authorities arrested many Gypsies, the Moldavians in Ataki staged a general strike demanding the expulsion of all Gypsies from the village.

Jews

Suppression of Jewish culture in the USSR has intensified in the last two years. There has been a major crackdown on Judaic study groups, Hebrew classes and other expressions of Jewish culture. The Soviet authorities not only deny that discrimination against Jews exists in their country; they also attempt to silence those who attempt to discuss the issue.

One glaring example was the arrest and imprisonment of Viktor Brailovsky. A leader of the scientific seminar for Jewish scientists who was denied permission to emigrate and an editor of the unofficial journal, _Jews in the USSR,_ Dr. Brailovsky was arrested on November 13, 1980, two days after the opening of the Madrid Meeting. He was charged with "defamation of the Soviet state" and sentenced to five years internal exile. The court decision against him found that "the specifically criminal activity of the convicted Brailovsky manifested itself in the fact that he, together with others, prepared and disseminated issues of the collection _Jews in the USSR._ The court judgement further charged that Brailovsky "systematically placed in his publications materials about national inequality; discrimination and persecution of Jews in the USSR; bans on certain professions for persons of the Jewish nationality; the diffusion of anti-Semitism as part of state policy -- all of which allegedly exist in the USSR."

In January 1982, a systematic KGB campaign was initiated against Jewish study groups in Moscow and Leningrad. On over a dozen occasions, Soviet militia broke up meetings of study groups of Jewish culture and history. Leaders of these groups, such as Moscow refusenik Yuli Koshorovsky, have had their homes searched, have been summoned for interrogations and threatened with arrest and prosecution. A Jewish kindergarten in Moscow was raided in February 1982 by KGB officers and a few days later the apartment in which the children had gathered was sealed off.

The official campaign against the teaching of Hebrew reached new heights in 1981. More than 80 Hebrew teachers in Moscow alone were warned by the KGB to cease their lessons. In Odessa, the homes of three Hebrew teachers were searched in July 1981 and all Hebrew study materials were confiscated. In an intensified effort to ban Jewish educational programs, the Soviet police threatened numerous Hebrew teachers with exile. Pavel Abramovich, a Moscow refusenik who first applied to emigrate in 1968 and who has taught Hebrew since 1970, was among those subjected to intense pressure from Soviet authorities.

Soviet authorities also tried to prevent Soviet Jews from holding unofficial Holocaust commemorations in the last two years. On May 9, 1981, after thousands of Jews had gathered at the Minsk monument to Nazi victims, the Soviet authorities interrupted the ceremony by playing very loud music. A planned gathering of Jews to commemorate the Holocaust on May 3, 1981 in a forest near Moscow was cancelled after the organizers were threatened with imprisonment.

Discrimination against Jews is also evident in admission policies for education and in employment criteria. The number of Jewish students at Moscow's institutions of higher education is roughly half what it was ten years ago, according to Western research organizations. Although partly explained by the demographic decline and age structure of Soviet Jewry, Dr. Lukas Hirszowicz of the London Institute of Jewish Affairs has pointed to discrimination as another factor.

Discrimination in higher education is most obvious in the scientific professions. In July, 1982, two mathematicians, Valery Senderov and Boris Kanyevsky, were arrested for collecting statistics for three years showing the systematic exclusion of Jews from the mathematics department of Moscow State University. Their arrest was timed to prevent them from conducting the same survey again this year. In October, 1982, a Soviet Jewish mathematician, Grigori Freiman, who had also been involved in documenting discrimination against Jews in his field, was allowed to emigrate to Israel.

Officially sanctioned anti-Semitism in the Soviet Union has been stepped up. Anti-Semitic propaganda material utilizing both standard as well as new anti-Semitic themes is on the increase. The newspaper Komsomolskaya Pravda recounts the number of Jews, half-Jews and "sympathizers" in the U.S. government. A recently published book entitled Alien Voices on the Air describes alleged Jewish control over radio, television and newspapers in the United States. One book recently published in Minsk, The Weapon of the Doomed by Ivan Artamonov, contains virulent accusations of collaboration between Hitler and Zionists and alleges that the massacre at Babi Yar, near the Ukrainian capital of Kiev, where at least

70,000 Jews were murdered by the Nazis, was really the work of Zionists. The notorious anti-Semite, Vladimir Begun, recently has published two new works: "Creeping Counter-revolution" and "Intervention with Weapons" both of which contain anti-Zionist and anti-Jewish material.

Germans

The situation of 1,936,000 ethnic Germans in the Soviet Union remains anomalous. Denied the right to the re-establishment of the Volga German Autonomous Republic, thousands of Soviet Germans -- according to some reports a total of 300,000 -- have sought permission to emigrate to the Federal Republic of Germany. Although a total of 53,000 Germans emigrated from the USSR between 1973 and 1979, a downward trend has been perceptible since 1980.

One tactic employed by Soviet Germans seeking emigration has been to renounce en masse their Soviet citizenship in the hope that this will pressure the authorities. One such unsuccessful campaign was undertaken by 80 Soviet German families in the Kabardino-Balkar Autonomous Republic in the RSFSR. Another such tactic has been to stage public demonstrations to protest denial of emigration rights. According to Amnesty International, from 1980 until April 1982 there have been at least five such demonstrations in Red Square by Soviet Germans from the RSFSR and the Central Asian Republics. Many other such demonstrations by Soviet Germans have taken place in Dushanbe (Tadzikistan), Frunze (Kirgizia) and Alma Ata (Kazakhstan).

As of April, 1982, Amnesty International listed 11 Soviet German prisoners of conscience: Aleksandr Angalt, Andrei Ebel, Johann Kloster, Georg Maier, Vladimir Maier, Artur Marsall, Genrikh Miller, Vladimir Raiser, Johann Rausch, Johann Shaab and Aleksandr Till. About half of these individuals have been imprisoned for "refusing regular call to active military service." One reason these men refused to perform military service is that often such service becomes the pretext for further emigration refusals. The maximum term of imprisonment for these Soviet German prisoners of conscience is three years.

Of the other German prisoners of conscience, Aleksandr Till was arrested in Frunze on December 10, 1981 and accused of collecting signatures for a petition asking for a monument to commemorate the Soviet Germans who died during World War II. Vladimir Resier, a friend of Till's, was arrested on January 19, 1982 for the same offense. Till, 25, has been trying to emigrate to West Germany since 1974 to rejoin his mother. On May 5, 1982, Till was sentenced to 30 months and Reiser to two years in ordinary regimen camp for "anti-Soviet slander."

Crimean Tatars

The 500,000 Crimean Tatars in the USSR are still forbidden to return to their Crimean homeland. The two official decrees which make it illegal for Crimean Tatars to take up residence in the Crimea are still in effect. The 167 Crimean Tatar families who summarily were expelled from the Crimea in 1979 are still forbidden to return. In 1980, an additional 20 families were expelled from the Crimea. None have been allowed to return.

Currently, there are three Crimean Tatar prisoners of conscience: physicist Rollan Kadiev, sentenced on January 4, 1980 to four years of camp; Lutfi Bekirov, given a four-year camp term on February 3, 1979; and pensioner Ahmed Abduramanov, exiled for five years in May 1978. According to the USSR News Brief, Kadiev conditionally was released from camp in May 1981 with the obligation to work. Two well-known Crimean Tatars activists who have recently been released from imprisonment, Mustafa and Reshat Dzhemilev, want to renew their efforts to emigrate to join relatives in the United States.

The Crimean Tatar desire to return to their homeland finds continued expression in mass petitions and appeals. In January 1981 one such appeal was sent to the 26th USSR Communist Party Congress. The authorities still refuse to accede to this demand, but they have granted a few concessions in the cultural sphere in Uzbekistan. A Crimean Tatar literary journal Yulduz (Star) is now published six rather than two times a year.

The Soviet press and scholarly journals provide continuing evidence of official concern for the growing intensity of nationality problems. Some of these commentaries acknowledge that nationalist sentiments "cannot be explained only by the influence of imperialist propaganda" as is done all too often in the Soviet popular press. The more thoughtful authors in this area recognize that internal adjustments, including better legislation in the area of national relations, is needed. Whether such adjustments will come to pass and, if they do, whether they will be genuinely effective eventually will determine whether the Soviet Union can make real progress in fulfilling its obligations under the Helsinki Final Act in the area of cultural and ethnic rights.

RELIGIOUS RIGHTS IN THE USSR

Principle VII of the Final Act provides specific guarantees of religious freedom:

> ...The participating States will recognize and respect the freedom of the individual to profess and practise, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.

Soviet Official Views on Religion

Since August 1980, the Soviet government had not revised any of its restrictive laws on religion, nor modified their application. In fact, faced with a religious revival in the USSR, the Soviet government has stepped up its campaign against religious believers, particularly involving "unregistered" or reform religious communities. A secret Central Committee directive in late 1981 reportedly instructs officials to take action against Soviet Muslims and Catholics. Evidently, the Soviet authorities are concerned about possible religious "infection" in Lithuania from Catholic ferment in nearby Poland, and Islamic "contagion" spreading in Central Asia and Azerbaidzhan from nearby Iran and Afghanistan.

Soviet newspapers continue to publish anti-religious articles, many indirectly admitting the failure of Soviet atheist propaganda to counteract a religious revival. One such article, P. Kurochkin's "Problems of Scientific Atheism in Light of 26th CPSU Congress Decisions" in issue 28, 1982, Voprosy Nauchnogo Ateiszma, begins by asserting:

> The mass atheism of the Soviet people is an incontestable fact of enormous social significance. The liberation of the broad masses from religion and the formation of their scientific world outlook are two of the outstanding achievements of socialism and a convincing demonstration of its progressive historic mission.

The rest of Kurochkin's article, however, somewhat belies this boast by turning to an examination of the causes of what the author calls "cases of a definite revival of religion or at least of the interest in religion in certain regions and in some population layers." In the process, Kurochkin admits that religious believers no longer conform to the old Soviet stereotype: an old woman of little education who is outside the mainstream of the Soviet system. He acknowledges that religion provides "compensation for the breaking or weakening of social ties...satisfaction for the need for fellow countrymen and national contacts" and assistance in "the difficult search for moral ideals..."

Kurochkin also points to sociological surveys which show that Soviet youth do not show sufficient ideological vigilance against religion. For the authorities, the signs of increasing interest in religion among Soviet youth is indeed serious problem, for it flies in the face of traditional official wisdom that religion will die out under socialism. A 1982 interview with lecturer Natelya Chutkerashvili in Zarya Vostoka, the chief Russian-language newspaper in Georgia, points to some of the reasons for this religious renaissance among Soviet youth: "definite moral values...esthetic needs...disillusionment (due to) the effect of negative phenomena in public life...(need for) better leisure-time activities."

Other works point to the connection between religion and nationalism in the Soviet Union, a connection which provides added incentive for the authorities to wage war on both phenomena in clear violation of the rights assured in the Helsinki Final Act.

The Russian Orthodox Church

Orthodoxy is a religion in which concepts of nationality and religion closely overlap. According to official Soviet sources, there are 30 million followers of the Orthodox tradition in the USSR, who are primarily divided among five nationalities: Russians, Ukrainians, Georgians, Armenians and Moldavians.

For the Soviet government, the Russian Orthodox church plays a valuable role as the compliant advocate of certain Soviet foreign policy initiatives, particularly in the current peace offensive. Metropolitan Filaret of Minsk and Belorussia invited religious leaders from all over the world to attend "The World Conference of Religious Representatives for the Protection of the Sacred Gift of Life against Nuclear Catastrophe" in Moscow, May 10 - 14, 1981. According to the Soviet press, some 600 religious leaders representing Buddhism and Hinduism, Judaism and Shintoism, Islam and Christianity attended the conference which adopted a series of positions on disarmament favorable to the Soviets. Indeed, on May 18, 1982 Izvestia claimed: "Many of the conference participants repeatedly and especially pointed to the notable role being played by the Soviet Union in protecting the world against the threat of a nuclear catastrophe."

According to State Department Soviet specialist Igor Belousovich, in return for supporting the Soviet peace offensive, the authorities have granted the church some concessions: In 1980, an increase in the number of seminarians enrolled in Orthodox seminaries was permitted. In October 1980, Patriarch Pimen opened a large workship for the manufacture and restoration of religious objects and supplies. In 1980 and 1981, the church was permitted to publish several editions of religious literature, including, for the first time since the revolution, 150,000 copies of combined Prayer Book and Psalter. In September 1981, Patriarch Pimen dedicated a modern publishing and conference center in Moscow, although the church still does not have its own printing facilities.

For their part, some Russian Orthodox believers have called upon the church leadership to assume a more activist stance. Unofficial reports from inside the Soviet Union show that some believe that the priest rather than the bishop has become the real foundation of the church. Questions raised by the faithful include: "Does the church understand the full weight of the responsibility on its shoulders today? Are we to be limited to the mere passive observance of rites forgetting that the education of perceptive Christians is also an extremely important church function?"

In fact, according to Belousovich, Russian Orthodox support for Soviet foreign policy is so time-consuming that there is reason to think that the Patriarchate has little time to devote to the urgent needs of the Russian Orthodox community inside the Soviet Union. In fact, secret official documents on the Orthodox church have revealed that it is almost entirely controlled by the Council on Religous Affairs under the Soviet Council of Ministers.

June 20 -- the same day that Patriarch Pimen was being awarded the Order of People's Friendship -- noted Russian Orthodox dissident, Father Dmitri Dudko was forced to repent on Soviet television for his "anti-Soviet actions." According to Dudko's friend, Anatoly Levitin-Krasnov, Dudko was led to confess by KGB manipulation of his long-standing personal ties with Patriarch Pimen (who had ordained him as a priest after Dudko was released from Stalinist camp). The tenor of Father Dudko's public confession was in accord with Russian Orthodox tradition and likely had a profound effect on many Orthodox believers. Since his repentance, Dudko has expressed regret at his action and, in his parish in the village of Vinogradovo near Moscow, has resumed some of his former dissident activities.

Far from defending the activist members of their church, some members of the Russian Orthodox hierarchy testified for the prosecution at the trial of another leading Russian Orthodox dissident, Father Gleb Yakunin, member of the Christian Committee to Defend the Rights of Believers. Two members of the Patriarch's Office for External Relations, A. Osipov and Father Iosif Pustoutov, testified that Yakunin's activities had impeded greatly the work of the church abroad. Father Yakunin was sentenced on August 20, 1980 to five years in strict regimen labor camp plus five years of internal exile for "anti-Soviet agitation and propaganda." Another member of the Christian Committee, Orthodox layman Viktor Kapitanchuk, was given a five-year suspended sentence in October 1980 after pleading guilty to "anti-Soviet agitation and propaganda" charges.

Two members of the unofficial Russian Orthodox youth seminar, Lev Regelson and Aleksandr Ogorodnikov, were also punished for their activities. Regelson, like Kapitanchuk, pleaded guilty to "anti-Soviet activity" and in September 1980 received a five-year suspended prison term. After serving one year in camp for "parasitism," Ogorodnikov was sentenced on September 9, 1980 to six years strict regimen camp and five years internal exile on charges of "anti-Soviet agitation and propaganda." On October 9, 1981, Ogorodnikov was put in a punishment isolation cell in Perm camp 36 for six months. Although very ill, Ogorodnikov began a hunger strike on October 21, 1981 to protest the confiscation of his Bible and the denial of his scheduled visit with his fiancee, Elena.

The Soviet authorities have continued to crack down on Russian Orthodox believers. There seems, however, to be a widening of categories of official "sins," including xeroxing, distribution and compilation of purely religious literature. On April 6, 1982, for example, laboratory technician Aleksandr Sidorov, historian Viktor Burdyug, poet Sergei Budarov, writer Nikolai Blokhin and Sergei Bychkov were arrested on such charges. They now face charges of "illegal commerce" since there are allegations that copies of the religious literature, including materials of the Moscow Patriarchate, were sold on the black market.

Other Russian Orthodox activists have been arrested in Moscow recently. April 29, 1982, religious writer Vadim Shavrov, son of a Soviet Army general, was forcibly confined in psychiatric hospital #15 in Moscow. Literary critic, Zoya Krakhmalnikova, age 52, compiler of Hope , a samizdat publication of Russian Orthodox religious writings -- which carefully avoided political issues -- was arrested on August 4, 1982.

According to a samizdat document, Russian Orthodox priest, Father Iosif Mikhailov, from Ufa in the Bashkir ASSR, RSFSR, has been in psychiatric detention in the Kazan Special Psychiatric Hospital since 1971. Father Iosif wrote to the United Nations to protest Soviet interference in church affairs. For ten years, he reportedly has been subjected to debilitating drug "treatment" which will cease only if he renounces his faith.

The Orthodox Church in Ukraine

Dissatisfaction with the passive attitude of the church hierarchy has also emerged from Ukraine where the Orthodox church forcefully has been merged with the Russian church. Protest at church passivity emerges in a lengthy letter to Party leader Brezhnev from Feodosy, Bishop of Poltava and Kremenchug, describing the situation of the Orthodox church in the Poltava region. Although Bishop Feodosy's letter is dated october 26, 1977, its text did not reach the West until 1981.

In concluding his 30-page letter, Bishop Feodosy sets out some proposals for improvement:

-- to stop the humilitating and illegal registration of religious ceremonies and of those who perform them in churches;
-- to allow bishops to ordain as many priests as required, regardless of the priest's geographic area;
-- to stop hindering the repair of churches;
-- to require officials to stop their anti-religious activity and be neutral in questions of faith as Soviet law requires;
-- to stop the forcible closure of houses of worship;
-- to publish more religious literature to meet the great need of believers; church calendars, for example are so rare that not even every village has one;

-- to stop interference with church leaders' choice of residence and place of church service;

-- to stop attacks on religion in the press;

-- to rid the churches of official control and to grant bishops more rights in religious matters.

Another Russian Orthodox official, young priest Father Petr Zdrilyuk, was deprived of his license to preach on January 15, 1982. Since 1978 Father Petr served in the Voznesensky church in Kiev, and attracted a wide following. His popularity apparently aroused the hostility of Soviet officials and, on August 13, 1981, his lodgings were subject to a lengthy search and his Bible and Western religious literature were confiscated. Called in by M.T. Donchenko, the local representative of the Council for Religous Affairs, on January 15, 1982, Zdrilyuk was pressed to name the source of his foreign literature.

Another activist Orthodox priest, Father Myron Sas-Zhurakovsky, was arrested on February 27, 1980 in Vinnitsa, Ukraine for meeting in Moscow with human rights activists to describe the situation of religious believers in Ukraine. On May 21, 1980, he was sentenced in Kolomiya, Ukraine to two years of imprisonment for violating passport regulations (he is a German citizen who is trying to emigrate from the USSR).

Soviet authorities have also continued their campaign of harassment against visitors to the ancient Orthodox monastery Pochaev in the Ternopol region of western Ukraine. According to an unofficial report that reached the West in 1981, the local militia, who are stationed in the monastery, hector pilgrims and visiting priests to ensure that no one stays beyond the 24-hour limitations. A local psychiatric hospital has been established in the former monastery hostelry and during church services, shrieks from the hospital inmates can be heard.

Monks in the Pochaev monastery have also been subjected to official persecution. Father Superior Amvrosy, who joined the monastery in 1976, defended the monastery against a group of monks who allegedly worked for the state. For his efforts, Father Amvrosy was summoned repeatedly for questioning by the local KGB and with the support of Superior Archimandrite Iokov and Dean Pankrati was expelled from the monastery on March 1, 1981. Now in hiding, the authorities reportedly have mounted helicopter searches for him in the Caucasus. Iokov and Pankrati have also assisted state officials in expelling Archimandrite Isai, Father Superiors Apelli and Pitirim and monk Nestor from the monastery.

An appeal from Orthodox believers in Pochaev to the United Nations, dated January 30, 1981, asked for assistance in saving the famous monastery which they fear the authorities want to close. The believers claim that the Pochaev city council demolished some monastery buildings. The believers also describe abuses by the local militia, including the rape of women pilgrims.

The Georgian Orthodox Church

The Georgian Orthodox Church is also the source of protest against the anti-religious policies of the Soviet authorities. On January 6, 1982, state officials prevented the celebration of Christmas mass in the Shio-Mgvini monastery in Mtskheta. An appeal to the Georgian Academy of Science, dated May 6, 1982, from Archimandrite Ioakime Asatiani, describes the Christmas incident. First the caretaker tried to prevent him from entering the monastery; then, his cassock and church books were torn; and finally he was locked in the church for the night. The caretaker -- who was later sentenced to a year in camp -- undertook these actions apparently on orders from the Mtskheta city museum. During his trial, Asatiani learned that the Georgian Council of Ministers on September 14, 1977 apparently had issued a secret order which took control of the 34 churches and monasteries, including Shio-Mgvimi, away from the Georgian Orthodox church.

Archimandrite Ioakime asserts that the ban on church services in the Shio-Mgvimi monastery presages ill for the future of the Svetitskhoveli and Samtavro churches which are also part of the Mtsketa church and monastery complex now controlled by the state. Archimandrite Ioakime has stated that as of May 21, 1982 he will ignore the ban and will again conduct religious services in the Shio-Mgvimi monastery.

Ioakime has appealed to the Georgian intelligentsia to protest the "violation of our rights," claiming that "The Georgian Orthodox church, which has survived history's most heinous troubles, which has been the greatest source of Georgian culture, whose writings are to this day the greatest factor in our national unity, which is the only existing organically binding force between the nation's past and present, stands today at the edge of catastrophe because there is no end to internal and external attempts to destroy it."

In March 1982, Georgian human rights activist Zviad Gamsakhurdia, declared a three-day hunger strike to protest violations of freedom of conscience in Georgia. Gamsakhurdia, who pled partially guilty to charges of "anti-Soviet agitation and propaganda" in 1978 for his role in the Georgian Helsinki Group, served one year of a five-year term of imprisonment before being pardoned in 1979. Since his release, however, Gamsakhurdia has been active in defending the rights of the Georgian Orthodox community, and apparently has been summoned by the KGB on several occasions.

Another member of the Georgian Helsinki Group, Merab Kostava, currently is serving his second consecutive term of imprisonment. Tried with Gamsakhurdia, Kostava was sentenced to a five-year term of imprisonment. Arrested again in his place of exile, Kostava was sentenced in December 15, 1981 to five years strict regimen camp for "resisting a representative of authority." On May 1, 1982, Gudzhi Apakidze and Zurab Tsintsadze, members of the Georgian Institute of History, Archeology and Ethnography, were detained by the police on false charges. The police confiscated from them an appeal on behalf of Kostava signed by 200 Georgians. On May 3, the two men were sentenced to 15 days of administrative arrest for "petty hooliganism," but after protest from their colleagues, this verdict was reversed on May 6, 1982.

The Armenian Apostolic Church

The Orthodox Church in Armenia is known as the Armenian Apostolic Church. A deacon in the Armenian Apostolic Church, 34-year-old physicist, Robert Nazaryan, was sentenced in 1978 to five years strict regimen camp and two years exile on charges of "anti-Soviet agitation and propaganda" for his activities in the Armenian Helsinki Group. In late November 1981, Nazaryan was transferred to Chistopol prison for the remainder of his sentence.

On February 11, 1982, noted Armenian film director, Sergei Paradzhanov, was arrested in Tbilisi, where he had taken up residence upon his release in December 1977 after serving half of a five-year prison term. Paradzhanov, whose film "The Color of Pomegranates" protrayed the life of a medieval Armenian poet and religious figure, Sayat-Nova, reportedly is charged wih "speculation" and unauthorized contacts with foreigners. After his release from camp, Paradzhanov was unable to find work in film and has sought to emigrate to France.

Judaism

The current status of the Jewish religion in the USSR is particularly precarious and has not improved in the last two years. Of the estimated two and one-half million Jews in the Soviet Union, up to 500,000 are religious. For all Jews, the opportunity freely to practice and profess their religion is extremely limited.

Although Soviet law permits the establishment of "religious centers" and central religious structures for other faiths, Soviet authorities banned the existing central Jewish body in 1919 and none has been allowed to take its place. This absence of a central structure for Judaism makes the publication of religious literature and the production of Jewish devotional articles, such as prayer shawls, virtually impossible. There are no Jewish periodicals and a Hebrew Bible has not been published in the USSR since the late 1920s. In August 1982, however, a Hebrew-Russian calendar of Judaic religious holidays for 1982-83 was issued in unknown quantity. According to official Soviet sources, the calendar is to be distributed "inside the religious communities of Moscow and other towns," a doubtful prospect in the absence of any central or even regional Jewish organizations. The lack of a central religious body also precludes the development of contacts with co-religionists in the rest of the world.

There are perhaps 60 synagogues in the entire country although official sources put that figure at 91 two years ago. There are fewer synagogues in the USSR - which has the third largest Jewish population in the world -- than there are in either Hungary or Romania, whose combined Jewish population is only about 120,000. Almost one-half of the synagogues that remain are in Soviet Georgia, the Central Asian Republics and the northern Caucasus, where less than 10 percent of Soviet Jewry resides.

According to Western sources, Adolf Shayevich was installed as Deputy Rabbi of the Moscow Synagogue on April 12, 1980. The Moscow Rabbi, Yakov Fishman -- until that time the only known rabbi in the Soviet Union -- presented Rabbi Shayevich to the congregation in a ceremony that was photographed by cameramen from the Council for Religious Affairs. Rabbi Shayevich received his training at the Jewish Theological Seminary in Budapest since such training is unavailable in the Soviet Union. Official Soviet sources, however, claim that the reason for the small number of rabbis is not that Jews are denied the opportunity to train them, but because Jews are not interested in clerical careers.

Nearly all recent attempts by Jewish activists to organize unoffical Jewish religious study groups have met with disruptions, threats of arrest, house searches and surveillance of the organizers and other forms of intimidation. While the percentage of religious Jews among the refuseniks (those who have applied to emigrate and been refused) is small, in recent years there has been a growing interest among them in Jewish history, culture and language. Yet, those Jews who have been active in teaching Hebrew and conducting Judaic study groups -- such as Moscow refusenik Ilya Essas -- repeatedly have been warned to discontinue their "bourgeois nationalistic meetings." An unofficial training program for religious Jews conducted during regular services by an elderly member of Moscow's synagogue on Arkhipova Street was disrupted in early 1981 by requiring that the teacher sit in a portion of the synagogue reserved for pensioners where he could not communicate with his younger students. Hebrew teacher and refusenik Natalia Khasina had her Moscow apartment searched in October 1981, and among the items confiscated were prayer books, a Bible, a prayer shawl and several other religious objects.

Soviet anti-Semitic propaganda, which is often thinly veiled as anti-Zionist, has a definite anti-Jewish and anti-Judaic ring to it. In fact, Judaism is portrayed as being much more harmful and reactionary than any other major religion in the USSR. In an article entitled "Judaism in the USSR" by the frequent apologist on this subject, Iosif Shapiro, which purports to survey Jewish history in the Soviet Union, rabbis are alleged to have "helped keep 6,500,000 people in fear and in submission to tsarism." A leading newspaper in Byelorussia declared that "there is no crime that has not been justified by the Holy Book of the Israelites."

Such bigotry has not abated since 1980. At the same time that emigration is much more difficult for Soviet Jews, their opportunities for studying and practicing their religion are severely restricted, and they are subjected to blatant manifestations of anti-Semitism.

Islam

The Soviet Union has the fifth largest Muslim population in the world, numbering an estimated 43 million. The Economist, on August 29, 1981, provides the following statistics: seventy percent are Turkic peoples of Kirgizia, Uzbekistan, and Turkmenia in Central Asia and in Azerbaidzhan and the RSFSR Northern Caucasus; the other thirty percent includes the Iranian people of Tadzhikistan in Central Asia. The vast majority of the estimated 34 million devout Muslim believers are Sunni Muslim. There are also some four million Shiites in Azerbaidzhan, some adherents of the Shia Twelvers in Central Asia, and some 70,000 Ismailis in the Pamir region.

Soviet Islam has split into two spheres: official Islam, representing a liberal Islamic liturgical position and espousing official Soviet foreign policy aims, and underground Islam, centering around secret Sufi societies and strongly opposing Soviet and Russian state authority. Due to the popularity of this second Islam, religious and secular authorities must walk a careful line lest Soviet Muslims turn increasingly to this underground Islam.

The Soviet invasion of Muslim Afghanistan has reduced the effectiveness of official Soviet Islam as the representative of Soviet foreign policy initiatives in the Islamic world. Evidence of this was the partial boycott of the Tashkent Islamic conference convened in September 1980 by the Muslim Religious Board for Central Asia and Kazakstan. Only 90 religious leaders attended out of the 170 who were invited. According to Western press reports, the Tashkent conference ended without a formal resolution because the foreign participants who did attend objected to the Soviet draft. Since the Tashkent conference, there has been a notable decrease in contacts between members of the Soviet official Islamic establishment and representatives of the international Islamic community.

In their attempts to combat the impact of contemporary Islam, Soviet officials have developed a graduated approach to Islamic observances, according to Marie Broxup in Religion in Communist Lands, Spring 1981. The Muslim rites and customs which are being made to disappear most quickly, at least in official Islam, are those which require a more intimate involvement with Islam, such as participation in the zikr (remembrance of God) ceremonies, the pilgramage to holy places (not so much the haj to Mecca which is allowed to only a few hundred loyal citizens a year as much as to the tombs of Islamic holy men in the USSR) and the reading of religious literature, including the Koran, which is in chronically short supply. On the other hand, religious rites and prayers such as the namaz (five prayers per day) and the sadaga (voluntary contributions to the mosque) are observed by millions of Muslim believers in the USSR. The great Muslim festivals, such as the Uraza (the fast during Ramadan), the Uraza Bairam (the three-day feast at the end of Ramadan) and the Mawlud (the Prophet's birthday) are also observed by many millions of Soviet Muslims. The religious ceremonies of circumcision, marriage and burial are also very widely observed -- even among Communist Party officials.

The four official Muslim spiritual boards based in Tashkent, Ufa, Makhachkala and Baku, direct the work of 2,500 to 3,000 officially registered mullahs in about 500 working mosques and two madressehs (Islamic theological institutes) in Bukhara and Tashkent. Clearly, these mosques and mullahs are woefully inadequate for 34 million Muslim believers in the USSR. The first issue in 1982 of Muslims of the Soviet East, however, reports the opening of at least four new mosques in the Northern Caucasus region, several new mosques in Kazakhstan, and in Tobolsk and Tyumen in Siberia, and one in the Orenburg region.

The Soviet Central Asian press is replete with attacks on "illegal" mullahs of underground Islam. The May 17, 1982 Uzbek Sovet Ozbekistoni contains an article, "The Miracles of the False Mullah," depicting the life of Ota Lokki Qodirov, who was reportedly active in "speculating in religious books near cemeteries" in Karakalpakistan, Uzbekistan. Since it was reported that Qodirov has been "silenced," one can assume he has been imprisoned for violating Soviet laws on religion. Another such mullah was the subject of an article in the Alma-Ata Kommunizm Tughi entitled "Who is Not Worthy of Respect." In it the activities of mullah, Omar Tokhtaev, are denounced while it is made clear he is an extremely influential figure in the 148,000 Uighur community in Kazakhstan. It is also evident from the article that many Uighurs were angered when Tokhtaev was deprived of his mullah license in July 1982. An article in the Russian language Turkmen paper, Turkmenskaya Iskra, (May 17, 1981) describes the case of a Communist Party member, Klych Ataev, who by day was a history teacher on a collective farm, and by night was an ishan, a Muslim spiritual leader.

An editorial on March 23, 1981 in Kommunist, in Baku, Azerbaidzhan, denounced Communist Party members who participate in religious celebrations, pointing to "8 Muslim...organizations, 366 illegal mullahs and 25 'holy places'" in the republic. The editorial asserts that steps must be taken to counteract the spread of religion, particularly since there has been "utilization of religious slogans by aggressive forces with regard to events in Poland, Afghanistan and Iran."

The Turkmen press and Party have devoted special criticism to pilgrimages to the shrines of Islamic holy men. One Islamic shrine has been the subject of special attack in the Turkmen press: that of Kurbanmurad, in Geok-Tepe. Kurbanmurad was one of the leaders of the Turkmen resistance to the Russian occupation of Turkmenia and Geok-Tepe is the site of their last battle in 1881.

In January 1982, there were articles in both the Russian-language and Turkmen-language press (January 12 is the anniversary of the battle) even though the articles claim that most pilgrims do not associate the shrine with the battle.

Pilgrimage to Islamic shrines apparently is particularly prevalent among members of the Sufi secret societies. Linked by ties of kinship and historical trdition, these Sufi sects have proven impervious to Soviet attempts to destroy them.. Not only do these Sufi groups run their own secret religious schools and mosques, but they conduct elaborate relgiious rituals and initiation rites.

As can be seen from recent references to pilgrimages in the Azerbaidzhan and the Turkmen press, there are many members of the Sufi societies in those two republics. It is the North Caucasus region of the RSFSR, however, where the most Soviet documentation about Sufism exists. Indeed, even according to official Soviet sources such as V.G. Pivovarov, as many as half the Muslim nationalities (Chechen, Ingush, Kabardians, Adygei, Cherkess, Abaza, Balkars and the peoples of Dagestan) of the North Caucasus (which according to the 1979 census totaled 2,889,000) may belong to the Sufi orders. Thus, the authorities are faced with some 1,444,500 dissident members of Sufi societies in the North Caucasus alone, most of whom were victims of Stalin's genocidal deportation policies as well.

Roman Catholics

With the rise of Solidarity in Poland and the vital role played by the Polish Roman Catholic Church, the Soviet authorities have stepped up their campaign against four million Roman Catholics in the USSR and in the Baltic States, especially Lithuania. Since October 1980, five Catholic priests in Lithuania and Latvia have been the victims of mysterious violent deaths. (Further information on this subject is available in the Extra-Judicial Reprisals section of the report.)

Other evidence of the heightened anti-Catholic mood of the Kremlin has found reflection in the Soviet press. "Holy Fathers and Children" by V. Levin, in Sovetskaya Belorussiya on September 18, 1982, for example, accuses certain Catholic priests of "fulfilling the instructions of their foreign chiefs" by collecting voluntary contributions for the restoration of churches (Priest Petravicius in the Lithuanian village of Dubichai) and of involving children in religious celebrations (Priest Cheslav Kuchinsky in the village of Shemetovo). Accused of violations of Soviet laws on the separation of church and state were Roman Catholic priests A. Tamkovich, I. Zanevsky, K. Shanyavsky, and P. Vartoshevich. In Soviet practice, to accuse a person of violating Soviet laws on religion is tantamount to threatening them with arrest, since there is a criminal penalty for such violations despite the fact that Soviet laws allegedly establish the separation of church and state.

Individual Roman Catholics in Moldavia (mostly Germans, Poles and Ukrainians) have also been subject to repressive measures. A popular young priest, Father Vladislav Zavalnyuk, who served the entire republic, was forced to transfer in mid-1980 to a parish in Latvia where he faced further difficulties with the Soviet authorities. On the night of October 11, 1980, a group of unknown assailants tried to break into the priest's apartment, shouting threats in Russian that if he did not get out of town he would meet the same fate as Turlais (Father Andrei Turlais' body was found in a lake in Latvia in September 1980). The next night, people broke into Zavalnyuk's mother's apartment and then stole Zavalnyuk's car.

On November 4, 1980, during a trip to Daugavpils, Father Zavalnyuk was taken ill (he suffers from meningitis). On November 11, on instruction from Soviet authorities in Riga, he was transferred to a psychiatric hospital. According to Keston College, Father Zavalnyuk was released from psychiatric detention around June 1981 and has been transferred to a new parish near Aizpute, Latvia.

In Lithuania, the Catholic community continues to express its concerns over violations of their religious rights by the Soviet authorities. Sixteen unofficial Lithuanian publications including the ten-year-old The Chronicle of the Lithuanian Catholic Church publicize these concerns. Some other unofficial journals which also focus on religious questions are Ateitis (The Future), Dievas ir Tevyne (God and Country), Tiesos Kelias (The Way of Truth) and Pastoge (The Roof), a religious and philosophical journal for young readers. Thanks largely to these unofficial sources, there is a lot of information about Catholics in Lithuania and some data about Catholics elsewhere. These publications also contain information about the trials of their co-workers and contributors. On December 22, 1980, for example, a Lithuanian with United States citizenship, Professor Vytautas Skuodis, was charged with involvement in several unofficial Lithuanian publications and with authoring a statistical study of atheist propaganda, Spiritual Genocide in Lithuania, for which he was sentenced to seven years in strict regimen camp plus five years internal exile. In late November 1980, four Lithuanians were sentenced for copying and distributing The Chronicle of the Lithuanian Catholic Church. Genovaite Navickaite received a two-year ordinary regimen camp term; Ona Vitkauskaite got an 18-month ordinary regimen camp term for "anti-Soviet slander"; Anastazas Janulis received a 42-month strict regimen camp term, and Povilas Buzas got an 18-month strict regimen camp term for "anti-Soviet agitation and propaganda." After serving their full terms, Vitkauskaite and Buzas have been released from camp.

No Lithuanian Cathlic priests have been sentenced to terms of imprisonment in recent years, probably because of the authorities' fear of popular disturbances. However, there have been instances in which priests have been threatened. On August 20, 1981, Rev. Ricardas Cerniauskas, vicar of St. Michael's Church in Vilnius, was arrested for six days because he conducted a spiritual retreat for young people which was broken up by police. According to The Chronicle of the Lithuanian Catholic Church, during a sermon in which he described his arrest, Rev. Cerniauskas spoke about the possiblity of further action against him:

> If someone were to kill me, hang me, say that I have venereal disease, fake my suicide, affect me by medical means or commit me to a psychiatric hospital, you will know whose work this is...I became a priest to speak the truth...And I will speak about God not only in church as the militiamen ordered me...but everywhere I am."

On February 3, 1982, the Reverend Antanas Garzulis went on trial for visiting his parishioners in Prienai during the Christmas season and was fined 50 rubles for violating Soviet laws. The Chronicle of the Lithuanian Catholic Church reports that this incident provoked a protest letter signed by 1,485 of Rev. Garzulis' parishioners.

In the Catholic community of Klaipeda there is a continuing campaign to gain the reopening of the church which was confiscated by the state in 1961. (The church, financed by believers and built by volunteer labor, is the only Catholic church which the Soviets have allowed to be constructed in Lithuania since 1945. In March 1979, 148,149 Catholics sent a petition to the Soviet authorities asking that the church be restored to them.) In September 1981, a group of ten Catholics presented another appeal for the return of the church, signed by 1,008 believers, to V.A. Kuroedov, chairman of the Council on Religious Affairs. Kuroedov admitted that a wrong had been done and promised that a permit to build a new church would be issued. No such permit was forthcoming, however, and on December 5, 1981, another protest letter signed by 250 people was presented.

Recent Soviet interference in the Kaunas Catholic seminary has also aroused considerable popular protest. The Chronicle of the Lithuanian Catholic Church in its September 1981 issue reports three separate protest petitions on the subject. One signed in 1981 by at least 9,066 Catholics, advocates that all quotas be removed from the seminary; that Lithuanian bishops be allowed to appoint administrative staff and faculty for the seminary; and that "government organs" stop threatening and interfering in the personal and religious beliefs of seminarians. Another petition signed by at least 10,840 Catholics in 1981 asks: "Why does the government decide who is to be admitted to the seminary, how many are to be admitted, who is to be rejected, and who is to be expelled?" The third petition, dated May 3, 1981, is signed by 113 Catholic priests and criticizes state interference in the administration of the Kaunas seminary in violation of Soviet domestic laws and international commitments.

An appeal on February 28, 1982, to Soviet authorities from the Reverend Kastytis-Jonas Matulionis, reveals that state interference in the official Kaunas Theological Seminary has led to the establishment of an unofficial seminary. The Reverend Matulionis, who is a graduate of that clandestine seminary, asks for official permission to work as a priest in Kybartai. A letter in support of Matulionis' request, also dated February 28, 1982 is signed by 1,033 Catholics of Klaipeda.

Official harassment of religious youths and the dispersal of summer outings on the grounds that they were religious gatherings was the subject of a petition signed by 18,341 Catholics from 49 different regions of Lithuania. The petition also mentons that in 1981 three Lithuanian Catholic women, Zita Vizbergaite, Ramune Butkeviciute and Dalia Dambrauskaite were not permitted to graduate from institutes in Lithuania due to the practice of their religious faith.

Soviet officials have also taken action against the growing popularity of Catholic religious festivals and mass processions. The major annual procession, from Tytuvenai to the historic shrine at Siluva, has grown in attendance from 300 in 1974 to 1,500 in 1980. In fact, three Lithuanian Catholics were imprisoned for their alleged roles in organizing this procession. Gemma-Jadvyga Stanelyte was sentenced in December 1980 to three years in ordinary regimen camp and was released on February 16, 1982 after serving half of her sentence. Two members of the Lithuanian Helsinki Group, Vytautas Vaiciunas and Mecislovas Jurevicius, received 30-month and three-year terms on June 26, 1981 for "organization of group activities which violate public order."

In August 1981, Soviet authorities took more drastic action and refused permission for the pilgrimage to Siluva to take place altogether. On the pretext that the entire zone was under quarantine due to an epidemic of swine fever, Party officials, militia and the army blocked off all access roads. A possible reason for these extreme steps was reportedly stated by a KGB official: "In Poland, too, everything started with a rosary."

The Lithuanian Helsinki Group has called attention to the plight of two Catholic bishops whom the Soviets illegally exiled from their dioceses. On July 15, 1982, Pope John Paul II announced that Bishop Sladkevicius would resume his duties as Apostolic Administrator of the diocese of Kaisiadorys. Bishop Stepanavicius, however, is still not allowed to return to his diocese of Vilnius.

Despite difficulties, the Catholic Committee to Defend the Rights of Believers continues to function. In fact, in March 1981, three new members were announced: the Reverend Leonas Kalinauskas, the Reverend Algimantas Keina and Reverend Vaclovas Stakenas. At that time, the Catholic Committee also formally accepted the membership of imprisoned Lithuanian activist, Vytautas Skuodis.

Greek Catholics

The Greek-rite Catholics face a truly desparate situation in the Soviet Union: they belong to an outlawed church. In 1946, the Soviets accused the Greek-rite Catholic or Uniate Church of wholesale collaboration with the Nazis and forced some Uniate priests to ask for the dissolution of its 350-year union with the Vatican and for a "voluntary" merger with the Russian Orthodox Church. Four million Uniates, mostly in Western Ukraine, without a church, were left with three choices: to accept formal membership in the Russian Orthodox Church, while remaining loyal to the Uniate Church; to participate in the secret Uniate Church, led by some 350 priests headed by Metropolitan Iosif Slipyi in Rome; or to join the underground radical anti-Soviet splinter group, "Penitents."

The Soviet Ukrainian press, particularly in areas of traditional Uniate strength, publishes vituperative articles against the Uniate Church, repeating false charges of massive Nazi collaboration. One such article charged: "the increasing attempts of the Vatican and foreign clerical-nationalist centers to influence the population of the Ukrainian SSR, the negative tendencies in the actions of the Catholic clergy, and the survivals of Uniatism have demanded a broadening of aggressive counter-propaganda actions from party committees, government agencies and ideological institutions...Counter-propaganda by the mass information media has been developed on a wide scale...about the treacherous role of Uniatism and its connections with fascism, Ukrainian bourgeois nationalism and anti-Communism."

Due to its "illegal" status, it is very difficult to ascertain the present situation of the Greek Catholic Church. Occasionally, The Chronicle of the Lithuanian Catholic Church publishes information about the Uniate Church, such as that some 300 Uniate believers from Zavadov in Strijsk region, Ukraine, have made repeated requests for "registration" to the Soviet authorities. In March 1981, a delegation of Uniates was received by Mr. Tarasov of the Council of Religious Affairs in Moscow. He promised assistance. Instead, when these people returned to Ukraine, they suffered various forms of harassment at their jobs. Rather than opening the Uniate church in Zavadov, the Soviet authorities nailed the doors shut and declared the church to be a museum. In Lvov, two recently ordained young Uniate priests, Roman Esprit and Vasyl Kavacev, were arrested in late March 1982.

During Uniate Easter season in late April 1981, local Soviet officials attacked church buildings filled with believers in Podgaichiki, Susolovi and Khlopchiki in Sambor region; in Dolgoluki in Strijsk region; in Tuchapi, Ritiatichi, Mshana and Drosdovichi in the Gorodoki region; Kamen-Brod, and Muzhelovichi in the Yavorovsk region; and in Volkov and Mereshchev in Peremyshliani region in Ukraine. "Unregistered" Uniate priests were summoned by the police and threatened with arrest if they conducted Uniate Easter services. Believers were told at their place of work not to attend Easter services.

There is also only scanty information about Uniate prisoners of conscience in the USSR. Ukrainian art historian, Vasyl Barladyanu, who was connected to the Ukrainian Helsinki Group, is a Uniate Catholic. First given a three-year term in 1977, he was rearrested in camp and, in August 1980 was given a second three-year camp term for conducting a Christian art seminar for fellow prisoners. Barladyanu's friend from Odessa, librarian Hanna Mikhailenko, was ruled "non-accountable" in November 1980 and sent to the Kazan Special Psychiatric Hospital for her defense of Ukrainian culture and of Ukrainian human rights activists. Ukrainian political prisoner, Bohdan Rebrik, also believed to be a Uniate, joined the Ukrainian Helsinki Group from camp and is now in Siberian exile. Uniate activist, Iosyp Terelya, who has spent much of his adult life in prisons and psychiatric hospitals for his eloquent appeals in defense of his church and country, was transferred in early 1981 out of a special psychiatric hospital to an ordinary psychiatric ward near his Transcarpathian home. In the autumn of 1981, Terelya was released altogether.

Protestant Churches

Among the various Protestant churches in the Soviet Union and the Baltic states are two Lutheran churches, both members of the World Council of Churches (400,000 in the Evangelical Lutheran Church of Latvia and 250,000 in the Evangelical Lutheran Church of Estonia); a small Methodist Church mostly in the Baltic states; and Evangelical groups scattered throughout the USSR which are split into officially "registered" communities (represented at the World Council of Churches by the 545,000-member All-Union Council of Evangelical Christians and Baptists) and thousands of "illegal" unregistered communities of Baptists, Adventists, Pentecostals, Mennonites, Evangelical Christians, and the totally banned sect of Jehovah's Witnesses.

Lutheran and Methodist Churches

Until recently, little was heard about Lutheran leaders having difficulty with the Soviet authorities. In January 1980, however, Estonian Lutheran pastor, Vello Salum, gave a sermon in which he advocated a more activist role for the Estonian Evangelical Lutheran church. In his sermon, "The Church and the People," Salum said:

> The church is...a living congregation whose activities must not be confined to merely conducting liturgical services as all too often people think...The duty of the Church toward the people is to fight for the welfare of the people, to promote their development to protect their rights. The Estonians have no

> other people's party which will fight for the protection of its people's native language and territorial space and whose cherished cause is the development of all aspects of the national culture of Estonia.

In late November 1980, Pastor Salum was taken to KGB headquarters in Tallinn, badly beaten, and then placed in psychiatric hospitals in Tallinn and then in Jamejala. According to Keston College, he was released from psychiatric hospital on May 28, 1981. Vello Salum was deprived of his license to preach on April 1, 1982 and has applied to emigrate. Another Estonian Lutheran pastor, Villo Jurjo, has also been deprived by Soviet authorities of his license to preach.

Similarly, there was scant information about difficulties of Methodist believers in the Baltic states. However, it was learned that Estonian musician, Herbert Murd, was sentenced to one year in camp in 1980 for his Methodist religious activities. On December 18, 1981, Murd was again sentenced to one year in camp for not making alimony payments (he had been unable to find work after his release from camp.)

Evangelical Protestants

The Evangelical Protestant groups represent a particular problem for the Soviet authorities: even under the repressive conditions of the Soviet Union, they are growing rapidly. Several official studies have tried to explain why Evangelical Protestant groups or, to use Soviet parlance, "sectarianism," have such appeal to people in the Soviet Union. One source, Eduard Filimonov, author of Christian Sectarianism and the Problems of Atheistic Work, offered this explanation: "Against the background of the decline in influence of Orthodoxy, Roman Catholicism, Lutheranism, Islam and the older forms of Russian sectarianism, under the conditions of a socialist city, the Protestant sects have revealed a greater vitality and greater degree of resistance to the process of secularization."

A frequent theme in Soviet anti-religious propaganda is that the three categories of religious believers require differentiated treatment by the authorities. Filimonov categorizes believers this way: "positively oriented" and "loyal" (to the Soviet regime); "passively contemplative" and loyal to the state, but indifferent and generally older and poorly educated; and "negatively oriented" to society, public institutions and organs of authority. For the latter, "religion frequently serves as a form for the expression of various extremist, anti-social, nationalistic...views...encountered most often among...reform Baptists, extreme Pentecostals and the Jehovah's Witnesses."

Since the Jehovah's Witnesses are outlawed in the USSR, there is very little information available on their situation. Judging from attacks in the Soviet press, and from Filimonov's book, it seems that Jehovah's Witnesses are active particularly in Moldavia, the North Caucasus, in the Stavropol and Krasnodar regions in the southern RSFSR, and in Eastern and Southern Ukraine. It is also known that Jehovah's Witnesses even continue to conduct religious activity in prison camps.

Reform Baptists

Among Evangelical Protestants in the USSR, most is known about the reform or "unregistered" Baptists. According to pastor Georgy Vins, there are over 2000 such Baptist congregations: over half of these Baptists are between 20 and 30 years old. The members of reform Baptist communities in the USSR have been subjected to a particular campaign of repression and imprisonment. There are currently 154 imprisoned reform Baptists in the Soviet Union, reports Pastor Vins.

Other reform Baptists are subjected to various forms of harassment. On December 6, 1980 in Kharkov, Ukraine, 11,000 rubles intended for the children of Baptist prisoners were confiscated by the Soviet police; in July 1981 police raided Baptist prayer meetings in the RSFSR in Rostov-on-the-Don, Ryazan, in Dedovsk and Murom; on October 16, 1981, police set dogs on Baptists to break up a prayer meeting in Kishinev, Moldavia; in late October 1981, the police confiscated Bibles and other religious literature from dozens of Baptists in Kiev; in February 1981 there were dozens of Bibles confiscated from Baptist homes in Tashkent, in Kazakhstan, and in Estonia; in June 1982, there were house searches and dispersals of prayer meetings of Baptists in Rostov-on-the-Don, Zaporozhe, Kirovograd, Moscow, Perm, Sverdlovsk, Tiraspol, Kishinev, Dzambul and some other cities.

A particular KGB target is the 12-man reform Baptist organization of pastors, the Council of Churches. The Chairman of the Council, Pastor Gennady Kryuchkov, however, has evaded arrest for 12 years by living in hiding. According to exiled Pastor Georgy Vins, Vitaly Fedorchuk, the new KGB chief, has issued instructions that Kryuchkov be arrested by the end of 1982. Thus, not only is there an intensified countrywide search for Kryuchkov underway, but Kryuchkov's brother in Tula, RSFSR, was told that the KGB plans to shoot Kryuchkov when they find him.

Currently, nine of the 12 Baptist pastors on the Council of Churches are imprisoned. Amnesty International has provided biographical sketches of eight. Nikolai Baturin, 55, former Council secretary, was sentenced in Rostov, Ukraine in August 1980 to five years in prison camp for "anti-social activity under the pretext of conducting religious ceremonies" (he is now serving his fifth term of imprisonment). Yakov Ivashchenko, 50, was sentenced in Kiev in August 1981 to four years in camp plus four years exile for "anti-Soviet slander, "violation of the laws separating church and state," and "anti-social activity under the pretext of conducting religious ceremonies" (this is his third term of imprisonment). Mikhail Khorev, 50, was sentenced in Kishinev, Moldavia in May 1980 to five years in strict regimen labor camp for "anti-Soviet slander," "violating public order" and "anti-social activity under the pretext of conducting religious ceremonies" and "violation of laws separating church and state" (Khorev, who is almost blind, was denied a scheduled visit with his wife for violating camp rules by wearing felt boots in December 1981). Nikolai Khrapov, 68, was sentenced in Tashkent to three years in camp in September 1980 for "anti-soviet slander" (this is Khrapov's fifth term of imprisonment). Dmitri Minyakov, 60, was sentenced in Tallinn in August 1981 to five years in camp for "anti-Soviet agitation and propaganda" with the confiscation of his property and the placement of one of his five children in a state orphanage (this is his third term of imprisonment). Pyotr Rumachik, 51, Deputy Chairman of the Council of Churches, was sentenced in Dnepropetrovsk to five years strict regimen camp for "anti-Soviet slander," "violating the laws separating church and state" and "anti-Soviet activity under the pretext of conducting religious ceremonies" (this is his third term of imprisonment). Pavel Rytikov, 62, was sentenced in Lvov, Ukraine, in August 1980 to three years strict regimen camp for "violating the laws separating church and state" (this is his second term of imprisonment). In addition, the *USSR News Brief* reports that another Baptist pastor, Ivan Antonov, 65, a member of the Council of Churches, was arrested on May 14, 1982 in his native town of Kirovograd, Ukraine (he had already served 18 years of imprisonment).

The secret Baptist "Christian" printing press provides much information about the situation of reform Baptists in the USSR. Consequently, the Soviet authorities continue a concentrated but unsuccessful campaign to eliminate this source. KGB raids have been launched against the "Christian" press in Latvia (1974), the Leningrad region (1977), Ukraine (January 1980), Krasnodar, RSFSR (June 1980) and Kirgizia (1982). Nevertheless, the "Christian" press still prints thousands of copies of religious literature in Russian, Ukrainian, Georgian, German, Ossetian, Moldavian and other languages of the Soviet Union, and prints the Council of Churches monthly journal, *Fraternal Leaflet,* and its quarterly, *The Herald of Truth* and the monthly *Bulletin* of the Council of Relatives of Baptist Prisoners. As a result of such publishing activity, six Baptists were arrested on February 13, 1982 in Tokmak, Kirgizia for printing Bibles on the "Christian" press: Ivan and Antonina Kinas, Olga Bozler, Maria Tissen, Pavel Sukhorukov, and Daniil Shevchenko. In March 1982 in Krasnodar, RSFSR Baptist printers Ivan Plett and N. Volkov were each sentenced to four years camp -- even though Volkov has lung cancer. Others from the "Christian" press in Krasnodar received three-year camp terms, including S. Volkov, V. Keller, M. Epp, and N. and V. Sidorovy. Another Baptist printer, Larisa Zaitseva, was sentenced for the second time in Rostov-on-the-Don in late 1981 to 18 months of imprisonment.

Another important reform Baptist organization is the 12-woman Council of Relatives of Baptist Prisoners, which reports on the status of Baptist prisoners of conscience. This group has also been the target of Soviet repression. Aleksandra Kozorezova, head of this Council, was sentenced in Voroshilovgrad, Ukraine, on August 21, 1981 to a conditional sentence of three years in camp. On August 20, 1982, six other members of the Council of Prisoners' Relatives were detained for ten days; one, Lidia Bondar, is in pretrial detention. (The release of five of these women, including Aleksandra Kozorezova, may be due to intensive activity on their behalf mounted by Protestant groups in the Netherlands.)

Reform Baptist pastors who are not members of the Baptist Council of Churches have also been sentenced to prison terms. In Voroshilovgrad, pastor Aleksei Kozorezov, father of ten, was sentenced on April 14, 1981 to three years strict regimen camp. In Kishinev, Moldavia, another pastor, Ivan Belev, was arrested on Janaury 20, 1982. Two others, Yakov Dirksen and Ivan Val, were sentenced in Omsk, Siberia, on May 17, 1981 to five years in camp.

Although imprisonment is the fate of many activist reform Baptists in the USSR, there are also some known cases of psychiatric detention. Ukrainian Baptist, Vladimir Khailo, 50, father of 15, was placed in a psychiatric hospital on September 22, 1980 and in December 1980 was sentenced to an indefinite term of psychiatric detention for seeking to emigrate. Khailo's family, permitted a brief visit on March 31, 1981, reports that his health has deteriorated due to forcible drug treatments in the special psychiatric hospital in Dnepropetrovsk. Leningrad Baptist, 44-year-old Anatoly Runov, is underoing forced drug "treatment" in the special psychiatric hospital in Leningrad where he has been held since at least April 1981. Another Baptist, Raisa Matveichuk, was arrested on March 19, 1982 in the Chernovtsy airport in Ukraine while carrying a list of Baptist prisoners. Since Raisa refused to give any information to her interrogators, she was sent for a psychiatric examination.

Another tactic used by the Soviet authorities is the denial of parental rights to devout Baptist parents. In July 1981, proceedings in the city of Murom, RSFSR were initiated against Baptist Maria Kalyashina to deny her parental rights. A regional court in Odessa, Ukraine, in December 1981, overturned a lower court's decision that Baptist Maria Drumova be denied parental rights. In an encouraging development, the Odessa regional court ruled that religious education of one's children is not sufficient grounds to deny parental rights.

Reform Pentecostals

After generations of persecution by the Soviet state as an illegal or "unregistered" sect, many Pentecostals have decided they want to emigrate from the Soviet Union. There is documentation in the West that about 30,000 Pentecostals want to emigrate to any country where they will be free to practise their faith.

On May 15, 1980, 18 Pentecostal activists organized a national Emigration Council for Christian Evangelical Pentecostals. Many of its leading members have been imprisoned:

-- Pavel Akhterov was sentenced to seven years strict regimen camp plus five years exile on December 28, 1981, in Donetsk, Ukraine for "anti-Soviet agitation and propaganda."
-- Vitally Istomin was sentenced in Nakhodka, RSFSR, in late 1981 to one year of general regimen camp for "refusal to register for the draft."
-- Eduard Bulakh was sentenced in Vilnius, Lithuania on September 9, 1981 to one year general regimen camp for "refusal to register for the draft."
-- Fyodor Sidenko was sent for compulsory psychiatric treatment in January 1980 and is now in the Chernyakhovsk special Psychiatric Hospital where drug treatments have been so severe that he has been unable to recognize his wife.

-- Boris Perchatkin was sentenced on August 17, 1980 to two years in prison camp for "anti-Soviet slander. Released from camp, Perchatkin has been threatened with a new arrest and is renewing his effort to emigrate.
-- Vasily Shilyuk, Chairman of the Pentecostal Emigration Council, was arrested on August 12, 1981 in Rovno, Ukraine, on charges of stealing one kilo of meat.

Despite the severe punishments meted out to the leaders of the Pentecostal emigration movement, these believers persist in pressing their emigration efforts. On March 8, 1981, for example, (International Women's Day) eleven Pentecostal women staged a brief demonstration on Red Square in Moscow, before they were rushed off by the police.

In breaking up Pentecostal prayer meetings, the Soviet police have resorted to military tactics. On July 14, 1981, a prayer meeting in Belka, outside Kiev, was broken up by 180 policemen, who detained 30 believers. On February 21, 1982, in the city of Shcherbina, near Moscow, the militia broke into a prayer meeting, photographing and insulting the believers, and confiscating religious literature.

Other Pentecostal leaders have also been subject to lengthy terms of imprisonment. One outstanding preacher and emigration activist, Nikolai Goretoi, 59, was sentenced in November 1980 to seven years strict regimen camp and five years exile for "anti-Soviet agitation and propaganda." Pentecostal church leader, Nikolai Bobarykin, was sentenced on March 15, 1981 to six years strict regimen camp plus five years exile for "anti-Soviet agitation and propaganda."

In order to "prove" that two Pentecostal activists, Vladimir Murashkin and Ivan Fedotov, committed the "crime" of involving children in religion, an eight-year-old boy was called as a witness during their trial in the Kaluga region, RSFSR. On July 28, 1981, Fedotov was sentenced to five years strict regimen camp, while Murashkin received a five-year term in ordinary regimen camp. On August 9, 1982, Pentecostal emigration activist, Vasily Barats was arrested in the airport at Rovno, Ukraine; he is now reportedly awaiting trial in Rostov-on-the-Don.

Two Pentecostal families, Vashchenko and Chmykhailov, now in the U.S. Embassy in Moscow, have become an international cause celebre. These two families, from the Siberian city of Chernogorsk, have been attempting to emigrate since the early 1960's to escape religious persecution in the USSR. Following previous attempts to visit the U.S. Embassy, five members of the Vashchenko family and two of the Chmykhailov family successfully gained refuge in the Embassy in June 1978.

In a desperate attempt to draw public attention to their plight, Avgustina Vashchenko and her daughter Lidia went on a diet of juice and tea in late December 1981. When Lidia's condition reached a dangerous stage in late January 1982, she was sent out of the Embassy to the Botkin Hospital, usually reserved for foreigners or the Party elite. After good treatment in the hospital, Lidia returned to Chernogorsk on February 11, 1982, and her mother also went off her hunger strike.

On February 15, 1982, the Soviet press agency TASS issued a special English-language statement, "What is the Noise About?" by Yuri Kornilov. After denying that there is any religious persecution in the Soviet Union ("freedom of conscience is guaranteed by the fundamental law and the Constitution") Kornilov asserted that "nobody is going to persecute them for religious beliefs and, if they intend to leave the USSR, permission for departure should be obtained in the legally established way, at the place of permanent residence."

Along with other Vashchenko children, Lidia was required to renounce Soviet citizenship and to pay a large fee before they could formally apply to emigrate. Finally, in June 1982, the Vashchenkos in Chernogorsk were informed that their applications had been denied and the families again declared a hunger strike. In response to their treatment, the Vashchenkos in Chernogorsk staged two demonstration earlier in April which were broken up by the local polilce. Since then, the adult Vashchenkos have been fired from their jobs and are now subject to house arrest. Recently, as a sign of good faith due to some new developments in their situation, the Vashchenkos have called off their hunger strike.

Reform Adventists

There is an Adventist group which chooses an underground existence rather than agree to restrictive Soviet laws on religion. This group, known as the True Remnant sect, has also suffered imprisonments and disruptions of peaceful prayer meetings. One of the leaders of this group, Rostislav Galetsky, who had been hiding for five years, was sentenced in Ryazan, RSFSR on March 25, 1981 to five years in camp for "anti-Soviet slander" and "infringing on the rights of citizens under the guise of performing religious ceremonies."

Other actions against this group include a raid by local militia on May 3, 1981 on a picnic attended by 200 Adventists at the Chardara reservoir in Chimkent, Kazakhstan. The pretext for the dispersal of the believers was that the picnickers were reading the Bible -- which allegedly is illegal. From August 1980 until January 1981, there were 84 searches at the homes of Adventists in RSFSR, Ukraine, Kazakhstan and Uzbekistan.

Despite these and other persecutions, "unregistered' Adventists continue to produce literature on their "Faithful Witness" underground press. On November 17, 1980, four Adventists were detained at a Moscow train station and 800 copies of an Adventist religious brochure were confiscated. Appeals of the "Faithful Witness" have also been sent to the West, including an 863-page report addressed to the Madrid CSCE Conference, dated September 1980. This report lists 55 Adventist prisoners of conscience. Of these, two, Adventist leader Vladimir Shelkov and Nina Ruznenko, died in prison or camp. Thirteen have served two-year sentences. Since then, nine other Adventists, many of them young women, have been imprisoned. At present there are least 49 imprisoned Adventists in the USSR.

PUNISHMENT BY "EXTRAJUDICIAL" METHODS

Introduction

Various means are employed by the Soviet authorities to discourage and punish expressions of independent viewpoints on religious, political, economic, social, ethnic and cultural issues. While many human rights activists are imprisoned according to legal precepts, there is evidence that the Soviet authorities increasingly are relying on extra-legal means of punishing human rights activists. Such extra-legal means of pressuring human rights activists to halt their activities include interruptions of domestic telephone service, the physical extermination of dissidents, forced public confessions of leading human rights activists, and the harassment and imprisonment of members of dissidents' families who are particularly active in their defense.

The advantage for the Soviet authorities of using extra-legal methods of reprisal is that it is difficult to prove official culpability, particularly in cases of physical assault or even murder by unknown assailants. Unfortunately, however, it seems that the Soviet authorities -- particularly when the activists have considerable popular support (as clearly is the case of Catholic priests in Lithuania) -- are relying on actual or threatened physical violence as a method of attempted control.

Physical Attacks on Human Rights Activists

Religious believers throughout the Soviet Union traditionally have been the victims of harassment, such as police raids on prayer meetings or destruction of churches. In recent years, the number of physical attacks on clergymen, some resulting in death, is apparently on the increase. In some cases, the clergymen have received warnings from the authorities. In other cases, the connection with the authorities is merely circumstantial.

Three Lithuanian Catholic priests are known to have died from physical assaults since October 1980. On October 10, 1980, Father Leonas Sapoka, pastor of the Luoke Parish in Telsiai, died from massive internal hemorrhaging after some five hours of beating. On August 14, 1981, the government newspaper "Tiesa" claimed that the police in Luoke had apprehended three persons who confessed to the murder of the 71-year-old priest. Two of the three were depicted as hardened criminals, while the third, a young man of nineteen, allegedly had been encouraged by Father Sapoka to enter the seminary.

Father Leonas Mazeika, the 63-year-old pastor in Pamusis, Lithuania, was fatally wounded by unknown assailants in his rectory on August 8, 1981. On January 28, 1982 two persons, a man and a woman, were convicted of Father Mazeika's murder.

A priest and member of the Lithuanian Helsinki Group who had been denounced frequently in the official press for his "anti-Soviet" activities was killed in Vilnius on November 24, 1981. Three days after the Tiesa article accusing Father Bronius Laurinavicius of "interfering in school affairs, slandering teachers and demeaning their authority through his sermons," Father Laurinavicius was hit by a truck after reportedly having been thrown into the street by a group of unknown men.

In neighboring Latvia, two Catholic priests have been murdered. The body of Father Andrejs, who reportedly had been threatened by the KGB, was found in a lake near the town of Daugavpils on August 19, 1980. Another Latvian priest, Father August Zilvinskis, disappeared in December 1981; his body was found in a forest near the town of Griva on May 7, 1982.

In Ukraine, between Holy Week 1981 and August of that year, Archmandrite Alimpi, a monk at the Orthodox Pochayev Monastery, died after being beaten during a police interrogation. Another monk, Pitirim, went insane as a result of involvement in the same incident.

A number of other priests in Lithuania have been attacked by "unknown assailants" and threatened with further physical reprisals. Father Benediktas Povilanskis, of Karmelava, was assaulted as he transferred the Blessed Sacrament from the sacristy to the church. In Kukautuva, on September 12, 1980, Father Antanas Bitvinskas was hospitalized after an attack by unknown assailants. The pastor of Slavantai, Father Juozas

Zdebskis, was severely burned (possibly by radiation) in October 1980. Father Zdebskis was a founding member of the Catholic Committee. Father Vytautas Uzkuraitis was badly beaten by thugs in Griskabudis on October 18, 1981. The official press subsequently reportedly that the assailants in the Bitvinskas and Uzkuraitis cases were apprehended and sentenced to twelve years in prison.

On August 20, 1981, Rev. Richard Cerniauskas, vicar of St. Michael's Church in Vilnius, was arrested and beaten for conducting a spiritual retreat for a group of young people. In a sermon on December 20, 1981, the 27-year-old priest announced that "the security police had advised him to keep quiet or else he would die an 'extraordinary death.'"

Another member of the Lithuanian Catholic Committee, the Rev. Jonas Kauneckas, was illegally detained briefly and physically abused on August 21, 1980 by police and KGB agents who refused to identify themselves as required by law. On November 13, 1980 the Rev. Antanas Lukosaitis of Zalioju received an anonymous letter threatening him with a beating.

Besides attacks on clergymen, reports emerge from the USSR of physical attacks by "unknown assailants" on Jewish cultural activists, refuseniks, political dissidents, and Christian believers. For example, on the night of March 13-14, 1981, Yuri Aikhenwald, a poet whose books had been published abroad, was beaten up in the Moscow Metro and his dental plate broken. His assailant attempted to take Aikhenwald to the police station for making "anti-Soviet statements." On April 8, 1981, Dr. Mikhail Plakhotnyuk was assaulted on the streets of Kiev by an unknown assailant. Plakhotnyuk, a Ukrainian human rights activist, had just been released from psychiatric confinement.

A Latvian Lutheran, Gederts Melngailis, was periodically assaulted throughout 1981 and threatened with further violence. In February 1982, two Evangelical Baptists from Ukraine, A. Akonyan and V. Orlov, were beaten up by a policeman. Also in February 1982, authorities in the village of Veliky Kucherov, Ukraine, broke up a Baptist worship service and assaulted the worshipers.

In 1981, Lithuanian student, Robertas Grigas, was hospitalized for two weeks after having been beaten up at the instigation of the Administrators at the Vilnius State Pedagogical Institute, where he was studying. Grigas had been repeatedly "lectured" about his political beliefs and threatened by KGB officials.

Three young Christian soldiers serving in the Soviet army have died in suspicious circumstances. Twenty-year-old Vasili Druk, of Moldavia, was stabbed to death in August 1981 by a soldier who allegedly was acting under orders from a superior officer. On the day he was inducted into active duty, authorities at the departure facility told Vladimir Muzika that he "will never return alive." Fifty-two days later, on January 10, 1982, Muzika was dead. Nineteen-year-old Filipp Koriyenko, of Zhurkovka, Cherkassk Oblast, Ukraine, was killed in February 1982.

On August 18, 1981, the KGB called Fyodor Finkel down for a "chat" about his connection to certain SMOT members, after which he was beaten up. When Finkel refused to "chat," he was threatened with interrogation at the Lefortovo Prison. On January 17, 1982, Gregory Wasserman, a lecturer at Leningrad's Jewish seminar, was beaten by three "unknown persons." In May 1982, Valery Tsern, a human rights activist in Kharsyzsk, Donetsk Oblast, was beaten up, after which he was sentenced to fifteen days in jail under administrative arrest. Furthermore, it was reported in September 1981 that former political prisoner Semyon Gluzman has been beaten several times on the street in Kiev.

Repression Against Families of Prisoners of Conscience

Many relatives of prisoners of conscience have experienced repression and criminal prosecution. When Ukrainian Helsinki Group leader, Mykola Rudenko, was arrested and imprisoned in 1976, his wife Raisa composed and distributed numerous protests in defense of her husband. At first, the KGB attempted to estrange the couple, by trying to convince Mykola that his wife was indifferent to his fate. Raisa was arrested in April 1981, and one month later, she was sentenced to five years in a labor camp plus five years exile for "anti-Soviet agitation and propaganda."

Volodomyr Sichko, whose father Petro Sichko and brother Vasyl Sichko were imprisoned on political charges for their human rights activities in Ukraine, was denied further education at the Shevchenko State Uiversity in Kiev. His mother was told by a KGB employee in Ivano-Frankivsk, the Sichko's home town, that "it was inconvenient for the State to educate an enemy." Volodomyr Sichko was subsequently (December 1980) sentenced to a labor camp term for refusing to serve in the Soviet army.

Filip Akhetrov is a Ukrainian reform Baptist given a three-year sentence for refusing to serve in the Soviet army. His father, Pavel, was sentenced in early 1982 to twelve years for "anti-Soviet agitation and propaganda." During the father's trial, the son was asked to testify on the charge that the father had persuaded his son to refuse military service.

On February 2, 1982, Valentina Fedotov, wife of convicted Pentecostal Bishop Ivan Fedotov, was warned by an official of the government Religious Affairs Council that she would be prosecuted for "slandering the Soviet system" if she continued to circulate information on her husband's case.

The Maier family, ethnic Germans seeking to emigrate since 1975 to the Federal Republic of Germany from Omsk, RSFSR, were reportedly assailed in a local newspaper, after which 18-year-old Vladimir Maier was beaten unconscious in June 1981. Two days later, Georg Maier was given three years in labor camp for refusing to serve in the Soviet army. When his mother went to Moscow to protest on behalf of her son, she was arrested and charged with "hooliganism" and given a three-year suspended sentence. At about the same time, her husband Vladimir was sentenced to two years of prison camp for "parasitism."

On June 21, 1982, Erika Till, sister of Aleksandr Till, another imprisoned German emigration activist, was taken to the police station in Tokmak, Kirghiz SSR. She was threatened by the Chief Procurator, searched, and had all her papers taken from her. Sophia Grimm, wife of imprisoned dissident writer, Yuri Grimm, was summoned to the Moscow City Procuracy on January 29, 1981, by Procurator V.I. Molochkov, who threatened her with arrest for "continuing her husband's activity." Pinkhos Podrabinek, father of imprisoned human rights activists, Kirill and Aleksandr Podrabinek, has been interrogated repeatedly for his attempts to call attention to the cruel treatment accorded his sons during their incarceration. He was also illegally evicted from his apartment.

Georgian nationalist, Mariam Bagdavadze, was pressured in May 1982 after her father's arrest for allegedly assaulting a Soviet official. Mariam Bagdavadze had been detained during a demonstration on October 21, 1981 and subsequently fired from her job. In a letter, Bagavadze described how the officials made no attempt to deny that her father's arrest was to punish the daughter for her nationalist activity.

The families of the last two imprisoned members of the Leningrad Aircraft Hijacking Case (1970) Ukrainian, Aleksei Murzhenko, and Russian, Yuri Fedorov, have been harassed. In a letter written in February 1982, Murzhenko's wife, Lyubov, and Fedorov's mother, Pelageya, state that they have been threatened with court action "if we do not cease our efforts to have them freed." In an official notice dated May 29, 1981, Lyubov Murzhenko was warned by the KGB in Kiev that if she did not "make the necessary conclusions," her activities might result in criminal prosecution.

Forced Confessions from Dissidents

The official desire to gain confessions or recantation from dissidents serves to refute the validity of dissent and to demonstrate to the public that criticisms of the Soviet line is futile. As a rule, dissidents are branded as Western agents or unwitting dupes of the West. Recantations usually claim that he or she had come to realize that his or her activities were aiding the enemies of the Soviet state and the Soviet people.

Police investigators, KGB agents and prison authorities, use many methods to try to gain confessions. In June 1981, Mikhail Kukobaka, well-known Belorussian dissident, was beaten by three thugs in prison and was forced to write a letter recanting his "anti-Soviet activity" (however, Kukobaka managed to render the document useless by including incorrect reference in the text).

Igor Ogurtsov, founder of the All-Russian Christian Union for the Liberation of the People, was offered an exit visa from the USSR if he would recant publicly and promise not to work for the Popular Labor Alliance upon arrival abroad. Ogurtsov, who was sentenced in 1967 to a twenty-year sentence, refused. A threat of an additional ten-year sentence (he had already spent nine years in confinement) prompted the public recantation on Soviet television on April 7, 1982 of mathematician Aleksandr Bolonkin. His confession was assured a large audience since it was aired during the intermission of a Soviet-CSSR hockey match. Bolonkin read his recantation statement, stating that "selfishness and vanity" had led to his dissident activity. He further condemned the entire human rights movement, claiming that it is in the pay of Western intelligence. Apparently, Bolonkin stumbled over his words and never looked into the TV camera. Bolonkin, although spared a further camp term, has not been allowed to return to Moscow, but is teaching in a college in Siberia.

Several leading Russian Orthodox activists, including the famous Father Dmitri Dudko, have recanted in recent years. In September 1980, Lev Regelson, a member of the Russian Orthodox Youth Seminar, confessed during his trial for "anti-Soviet slander," saying he had: "Confused religious with anti-Soviet activity, and had entered into collusion with those political and social forces of the West, for whom the ideals of the Heavenly Kingdom are foreign and a matter of indifference." (Regelson received a five-year suspended sentence.)

Christian Committee member, Viktor Kapitanchuk, was tried at the same time as Regelson. He pleaded guilty and gave a detailed account of his "anti-Soviet activities" and named the foreign correspondents with whom he had been in contact. (Kapitanchuk also received a suspended sentence of five years.)

In the summer of 1981, excerpts from a letter written by Pentecostal prisoner Boris Perchatkin to the Procurator of Nakhodka, Primorsky Krai, RSFSR, were published in the local press. Perchatkin stated that he had "conducted his activities under the influence and instructions of 'dissident/anti-Soviets', in particular, Aleksandr Ginzburg and Arkady Polishchuk."

Three dissident literary figures have recanted, either during court proceedings, or while in pre-trial detention. Viktor Sokirko, a contributor to the samizdat cultural journal Poiski, received a three-year suspended sentence. Sokirko, who went on trial in late September 1980, sent a letter to the Associated Press disassociating himself from his previous literary activity, and denying that he was a "martyr" or "victim." Another non-conformist writer, Evgeny Kozlovsky, wrote a letter, published in "Moskovskaya Pravda" (July 2, 1982), "fully admitting his guilt and openly repenting his criminal actions." Kozlovsky, whose unflattering depictions of Soviet society had been published abroad, had been detained for seven months. (After his confession, he was set free.) Less fortunate was Poiski contributor, Gleb Pavlovsky, who was sentenced on August 18, 1982, to five years of internal exile for "anti-Soviet slander." During his trial, Pavlovsky had recanted, declaring that Poiski is a "slanderous magazine."

Natalya Lazarova, member of the Leningrad Orthodox Womens' "Maria" club, having served ten months in a labor camp after partially confessing to "anti-Soviet slander," was arrested in March 1982. Reportedly, Lazarova gave evidence on fifty other human rights activists in return for a promise of permission to emigrate. Despite her cooperation with authorities, nevertheless, she was sentenced to four years in a labor camp and two years of internal exile. Another "Maria" club member, Galina Grigoreva, sent a letter to the KGB promising to cease her activities. Grigoreva has since appeared in a T.V. film about the feminist movement in which she condemns her former activity and that of Julia Voznesenskaya, former "Maria" club activist now in West Germany.

On August 18, 1982, Tiesa in Lithuania published an article entitled "A Spider's Web That I Noticed Too Late." In this article, T. Rokas confesses to having distributed leaflets with a young friend which "slandered the realities of our life." Finally, says Rokas, he realized his mistake, broke with his co-conspirators, and seeks forgiveness from the organs of justice.

Telephone Interruptions in the USSR

In reprisal for their activities, dissidents and their families frequently find that local telephone service to their homes has been cut off by the Soviet authorities. On some occasions, the service is completely curtailed, in other cases, it might be shut off, re-connected, turned off again, and so forth.

On December 19, 1980, Meri Kaplun's phone was disconnected in Moscow. (Mrs. Kaplun is the mother of the late Irina Kaplun, whose exiled husband, labor union activist Vladimir Borisov, has been seeking exit permission for the couple's child, Zhenya.) At about the same time in Kishinev, Moldavia SSR, the phone of Jewish activist, Aleksandr Khozin, was disconnected. In early 1981, the telephones of Jewish activist, Feliks Kochubievsky in Novosibirsk, and of Tatyana Pletneva, a human rights activist in Moscow, were also disconnected. In April 1981, Viktor Neplekhovich, the husband of Irina Grivnina, an exiled member of the Working Commission on Psychiatry, had his phone disconnected.

The telephones of Lev Kopelev's daughter, Elena, and of G. Gasteva were disconnected after their international phone conversations in the spring of 1981. On March 13, 1981, Moscow Helsinki Group member Naum Meiman's phone was disconnected as was Irina Brailovsky, wife of imprisoned Jewish refusenik, Viktor Brailovsky.

In mid-July 1982, Elena Bonner's neighbor in Moscow had her telephone disconnected for "illicit conversations." (She had been allowing Elena Bonner to use her phone to make local calls.) In late August 1981, the Moscow telephone of Elena Sirotenko, fiancee of Armenian political prisoner Paruir Airikyan, was disconnected for six months.

In November 1981, the telephone at Tatyana Velikanova's former apartment in Moscow, where her son Fyodor Babitsky was living, was disconnected, as was that of her sister, Kcenia. (Mathematician and human rights activist Velikanova had been sentenced in August 1980 to four years labor camp and five years exile for "anti-Soviet agitation and propaganda.") In the same month, the telephone of Lyudmila Boitsova, wife of imprisoned biologist, Sergei Kovalev, was also disconnected. In Leningrad, phone service was cut off for Tatyana Poresh, wife of imprisoned Russian Orthodox dissident, Vladimir Poresh, and for Hebrew teacher Aleksandr Zelichonok. In Odessa, the telephone service of Hebrew teacher IJa Nepomnyashchaya was also terminated.

PENALTIES BY PSYCHIATRY

Despite continuing international protest, the Soviet Union has continued and expanded the practice of incarcerating individuals whom the regime considers a threat. In June 1982, Dr. Cronid Lubarsky documented 91 cases of political prisoners held in Special Psychiatric Hospitals, 74 in Ordinary Psychiatric Hospitals, and ten others who were known to be in psychiatric confinement, but whose exact whereabouts were not known. In an Amnesty International publication, February 1982, former Soviet psychiatrist, Dr. Alexander Voloshanovich, comments on the difficulty in making accurate estimates of the number of persons involuntarily confined to psychiatric facilities for purely punitive reasons. "...In view of the great size of the country, the secrecy of life within it, and the simplicity of the legal procedures used to confine people...the cases which are now known... are only the tip of the iceberg ... Dr. Voloshanovich states further that there may be persons under confinement by order of local authorities without the knowledge of Moscow.

While some human rights activists have been held for years and subjected to constant harassment and psychiatric abuse, others such as the "truth seekers" who persistently seek redress from higher government authorities for real or alleged mistreatment by local officials -- receive repeated short-term commitments to mental facilities, with warnings to cease their activities and complaints. In May 1981, Dr. Zoya Serebryakova, Chief Neuropsychiatrist of the Soviet Ministry of Health, disclosed that approximately 1.2% of the patients admitted to a certain Moscow psychiatric hosptial were admitted for making "groundless complaints" and "slanderous statements." Using this percentage as a reference point, and calculating on the basis of Soviet Ministry of Health statistics released in 1974, Claud-Einar Langer of the Frankfurter Allegemeine Zeitung concluded that at least 7,800 Soviet citizens may be committed yearly to psychiatric facilities as a result of such "groundless complaints" and "slanderous statements."

There are two types of Soviet psychiatric facilities: the "ordinary" hospitals maintained by the Ministry of Health (OPHs), staffed by civilian personnel (with KGB supervision of political detainees), and the Special Psychiatric Hospitals (SPHs), operated by the Ministry of Internal Affairs for especially "dangerous" prisoners. The latter institutions are supervised by psychiatrists specially chosen from the notorious Serbsky Institute in Moscow, and staffed by doctors with MVD officer rank.

One of the most telling documents recently produced in the Soviet Union on psychiatric abuse is a paper entitled "Unwilling Patients" by Dr. Anatoly Koryagin, consulting psychiatrist to the unofficial Working Commission on the Use of Psychiatry for Political Purposes. Dr. Koryagin, who was sentenced in June 1981 to a total of twelve years labor camp and internal exile for his courageous defense of victims of psychiatric abuse, noted the increase in cases of psychiatric abuse: "The main weight of psychiatric persecution, the scale of which has grown still more, has now been redirected to the provinces...in this way, the authorities are trying to achieve their dual purpose: to suppress all dissent in the outlying areas of the country, and also to rehabilitate Soviet psychiatry in the eyes of the world." In this paper, Koryagin has also described the arbitrary and punitive -- as opposed to curative -- aspects of the psychiatric facilities: "One may conclude that the nature, intensity, and duration of the treatment (the patients) received was not based upon their diagnosis, but depended solely on their behavior in the hospital and evaluation of what they had said and done in the past."

Further, Koryagin discusses the use of painful and powerful drugs, particularly sulfazin, on healthy psychiatric patients. "Sulfazin is like a drill boring into your body that gets worse until it's more than you can stand," according to Aleksei Nikitin, psychiatric abuse victim. L. Pribytkov, having been diagnosed as "schizophrenic" for repeated attempts to enter a foreign embassy, spent nine months at the Kazan Special Psychiatric Hospital without being treated with drugs. Just before he was released, however, Pribytkov was subjected to an intensive course in insulin therapy. When Vasily Barats was forcibly hospitalized in the middle of the night, the Chief Psychiatrist told Barats' wife that he had been hospitalized "because we had been told to do it." Although the psychiatrist said Barats would not be treated, nevertheless, Barats was given a large dose of aminazin.

According to a report in the May 1981 issue of the Information Bulletin of the International Association on the Political Use of Psychiatry, the forcible administration of large doses of psychotropic drugs by Dr. Yuri Tambovtsev, head of Section Four of the Chernyakhovsk SPH, precipitated a riot among the inmates from January 1 - 5, 1981: "The rebels seized some medical personnel as hostages and barricaded themselves in the section. When MVD Colonel Rybkin, a psychiatrist, agreed...to investigate their complaints, the hostages were freed. Then guards burst into the section and beat up the inmates...25 inmates were transferred to other SPHs."

The threat of psychiatric confinement is another powerful weapon used by the authorities, refined through the "registration" system. Under this system, a citizen, without any judicial process, can be placed on a psychiatric register as mentally unstable and subjected to various legal restraints, including incarceration or re-incarceration. The independent labor union, SMOT, has referred to persons "on the register" as "the one caste of people even more bereft of their rights than all the other citizens of the Soviet Union." The Kafkaesque quality of the registration system is clear from the following description in a June 1981 SMOT bulletin: "It just takes a phone call from your boss or some influential person at work who has taken a dislike to you for some reason...and suddenly you get an envelope in the mail containing an official invitation to appear at the office of the municipal district psychiatrist. It turns out, they've initiated a 'file' on you."

Persons who are on the psychiatric register have trouble obtaining employment, are deprived of the right to adopt the children of their spouse from a previous marriage, and are prevented from travelling abroad. Having been placed on the register, they are required to check in at the psychiatric dispensary every six months. Failure to check in often leads to commitment with the possible administration of painful drugs.

The current victims of psychiatric abuse cover the spectrum of dissent in the Soviet state: religious, nationalist, people seeking to emigrate, labor and handicapped rights advocates, opponents of the political system and, of course, those who protest against the abuse of psychiatry.

Cronid Lubarsky documents the cases of twenty-two religious prisoners of conscience in psychiatric confinement: In one instance, Lutheran Pastor Vello Salum delivered a lecture in January 1980 calling for national and religious rights in his homeland, Estonia. Arrested in November 1980, he was severely beaten and taken to Jamejala Psychiatric Hospital. As of April 1982, he had apparently been released, but was deprived of his license to preach.

Father Iosif Mikhailov was incarcerated in 1971 in the Kazan Special Psychiatric Hospital for having addressed a letter to the United Nations, complaining about Soviet interference in church affairs. Subjected to forcible drug "treatments,' Father Iosif has been told that only the renunciation of his faith will bring an end to the debilitating drugs.

The physical condition of Fyodor Sidenko, a Pentecostal emigration activist, has worsened considerably. According to his wife, Sidenko has been subjected to such severe drug treatment at the Chernyakhovsk SPH, that she is not certain that he recognized her when she came to visit him in the summer of 1981.

Vitaly Sinegovsky, a reform Baptist, served ten years on criminal charges in the Mordovian camps from 1963 to 1973. In December 1980 he was sent without trial to the Igren OPH, where his health was reportedly undermined by the use of powerful drugs.

Evgeniya Erygina has been held in a psychiatric hospital in Sverdlovsk since the mid-1970s for her religious beliefs. Adventist Zita Kirsnauskaite, of Riga, Latvia, was detained in 1978 and held under psychiatric "care" until 1980. Russian Orthodox nun Valeriya Makeyeva has suffered persistent persecution, both legal and psychiatric, since 1949. Forcibly committed to a psychiatric hospital in 1978 for making and selling belts embroidered with the words of the 90th Psalm, she was released from the Kazan SPH in February 1982.

Several doctors have run afoul of Soviet authorities and found themselves the victims of psychiatric abuse. Dr. Nikolai Samkharadze, a sixty-seven-year-old physician and historian, member of the Initiative Group for the Defense of Human Rights in Georgia, had been confined in a maximum security psychiatric facility for over a year and a half as of May 1982. Dr. Algirdas Statkevicius, member of the Lithuanian Helsinki Group, was tried _in absentia_ August 9 - 11, 1980, and committed to the Chernyakhovsk SPH. In a letter that he managed to send out of the hospital, Statkevicius wrote: "I belong to a criminal organization that was created to support the Helsinki Agreement...This seems unbelievable! Can the defense of human rights ever be a criminal matter anywhere? But they wanted to do away with a defender of human rights, and so they had to find some justification for doing it." Statkevicius had been allegedly diagnosed as "socially dangerous," but has been told that if he "follows the regime," his term will be only about three years. Dr. Nikolai Plakhotnyuk, a specialist in respiratory diseases, spent almost ten years under psychiatric confinement. Released in March 1981, a few months later he was rearrested. Having been judged sane at the Serbsky Institute, Plakhotnyuk was later sentenced to four years at a labor camp on false charges of homosexual activity. For visiting the American Embassy in Moscow to inquire about emigration procedures, Dr. Vasily Nikitenkov spent from 1971 to 1975 in psychiatric confinement; in 1979 he was recommitted to the Kazan SPH.

Persons who apply to emigrate from the Soviet Union also run the risk of psychiatric detention: Emigration activist Nikolai Barats has been committed to psychiatric hospitals three times in 1974, 1981 and 1982.

Lithuanian English teacher Zita Salaseviciute, staged a protest on emigration denials in Red Square in Moscow on January 4, 1981. Her demonstration in Red Square led to forced incarceration at Moscow OPH No. 3, where she was given heavy insulin treatment; upon release, she was threatened with lifetime confinement if she continues to try to emigrate.

Michael Utemov has sought permission to emigrate from the Soviet Union since 1979, has renounced his citizenship, and, in March 1982, was interned in a Moscow OPH. Aleksandr Shatravka, an invalid who had tried to emigrate, was picked up by the police in Krivoi Rog, Ukraine. Turned over to a psychiatric hospital, Shatravka was injected with aminazin and subjected to a KGB-style interrogation by the doctor in charge.

Anatoly Cherkasov attempted to emigrate to Turkey across the Black Sea in a rubber dinghy in August 1979; at last report, he was in the Kazan SPH. Valery Sulimov has been confined to a Riga OPH since June 1980, for attempting to emigrate to Israel. Vladimir Khailo, a reform Baptist, had already spent time in prison for his religious activity. For seeking to emigrate with his wife and fifteen children, he was confined in late 1980 to the Dnepropetrovsk SPH.

Efforts to secure economic rights and improve safety standards for Soviet workers have resulted in psychiatric confinement for labor rights advocates: Vladimir Klebanov, arrested in February 1978 for his attempt to form an independent labor union, was subjected to heavy drug treatment at Dnepropetrovsk SPH until early 1982, when he reportedly was moved to another facility. Aleksandr Nikitin, whose reports to foreign correspondents on unsafe mining conditions led to his commitment at the Dnepropetrovsk SPH, has been subjected to heavy doses of painful and debilitating drugs. He was reported to be going blind in November 1981. In late 1981 or early 1982, Nikitin was transferred to the Alma-Ata SPH.

Liliana Belikova repeatedly had tried to call to the attention of Belorussian authorities problems in the irrigation and water supply system, leading to her dismissal from work in 1976 and psychiatric harassment. In May 1981, she was held by the police in Moscow, where she was subsequently placed in psychiatric detention,

Mikhail Zotov, non-conformist artist and SMOT member, was arrested on charges of "slandering the Soviet system" in January 1981. Declared mentally incompetent, since July 1982 Zotov has been held in the Tolyatti OPH. in the Kuibyshev Oblast, RSFSR.

Political dissidents frequently are judged mentally incompetent and thrown into the psychiatric Gulag. Nikolai Baranov, who tried to count the ballots in his election district in 1963, has been in various psychiatric institutions since 1968. His sister has written that Baranov's health has been ruined by drug "treatment"; in January 1982, a psychiatric commission again refused to release Baranov from the Alma-Ata SPH. Yuri Ternopolsky was held in an OPH during the 1980 Moscow Olympics and subsequently was committed for attempting to meet a Swedish newspaper correspondent. Philosophy student, Vasily Spinenko, has been in and out of psychiatric hospitals (1971-1978) and was last reported to be at the psychiatric dispensary in the town of Makesevka. SMOT activist Vladimir Gershuni, held from 1974 to 1979 in the Orel SPH and interned in a Moscow OPH during the Olympics, was rearrested on June 17, 1982. Twenty-six-year-old Viktor Davydov, whose writings were judged to be "socially dangerous" has been incarcerated since 1979 at the Blagoveshchensk SPH. "Treated" with the powerful drug Mazherptin, Davydov's hair has turned grey and he has suffered serious weight loss. Aleksandr Denisov has been held at Blagoveshchensk since 1978 on the basis of letters he wrote to the newspapers. Kim Davletov, whose pro-Stalinist writings were published in Albania, was arrested in 1971 and committed to psychiatric confinement. In early 1982, Davletov was reported to be held at the Kazan SPH, where, despite heavy doses of drugs, he has refused to recant.

Advocates of national rights also are liable to punishment in Soviet psychiatric institutions: A book written by a Soviet German, Mechislav Vinkh, describing Stalin's genocidal policies against Soviet Germans, resulted in his incarceration in a Kiev psychiatric hospital from 1975 - 1979; Vinkh has since disappeared.

Turkmen poetess, Annasoltan Kekilova, apparently is still being held in the city psychiatric hospital in Ashkhabad, Turkmenia, where she has been since 1971 for protesting local conditions to Moscow Party officials.

For protesting Soviet russification, Ukrainian Hanna Mikhailenko was tried on political charges in November 1980. Having been previously committed to the Serbsky Institute for "tests," she was judged "mentally unaccountable" and sent to the Kharkov Regional OPH, and was transferred to the Kazan SPH.

Lithuanian human rights activist, Petras Cidzikas was placed in a Vilnius psychiatric hospital on February 9, 1981. Cidzikas had protested his arrest for having attempted to attend the trial of Skuodis, Iesmantas, and Peceliunas on December 16, 1980.

In late 1980, dissident and samizdat writer, Vladimir Fedorov, was committed to a mental hospital. Released after a few months, he died in February 1982, reportedly as a result of his treatment in the hospital.

As part of the general crackdown on human rights activists in the Soviet Union, the Kremlin has silenced the members of the Working Commission on the Use of Psychiatry for Political Purposes: Vyacheslav Bakhmin, sentenced to three years labor camp in February 1980, is serving his term at a camp in the Tomsk Oblast. In late 1981, Irina Grivnina arrived at the small town in Kazakhstan to which she was exiled for five years. Dr. Anatoly Koryagin, sentenced in February 1981 to seven years labor camp and five years internal exile, was transferred in late July 1982 from Perm Camp No. 37 to Chistopol Prison. Feliks Serebrov is reported in poor health at Perm Camp No. 35; he was sentenced in January 1981 to four years labor camp and five years internal exile. Dr. Leonard Ternovsky, sentenced in December 1980, is serving his three-year general regime sentence in a labor camp in the city of Omsk.

The plight of Aleksandr Podrabinek is especially distressing. He was originally sentenced to five years internal exile in 1978 for his book "Punitive Medicine" on Soviet abuse of psychiatry for political purposes. He was rearrested in late 1980 on political charges and sentenced to an additional three years, six months and thirteen days. Although Podrabinek suffers from tuberculosis, it was with the utmost reluctance that the authorities hospitalized him in June 1982.

Recent publicity on the abuse of psychiatry in the Soviet Union and the ensuing condemnation by the international psychiatric community has moved the Soviet medical establishment to mount a propaganda campaign. Dr. Eduard Babayan, Chairman of the USSR Ministry of Health Psychiatry Council, has described charges of psychiatric abuse as "fantastic and absolutely groundless" and has attempted on several occasions to demonstrate that Soviet psychiatric practice is consistent with international standards. In light of Dr. Serebryakova's admission concerning "complainers" and persons making "slanderous statements," Dr. Babayan's disavowals have a hollow ring.

The British Royal College of Psychiatrists has called for the expulsion of the Soviet Union from the World Psychiatric Association (WPA). The American Psychiatric Association has announced plans to call for the suspension of the Soviet Union from the WPA at its July 1983 conference, if there is evidence of continued psychiatric abuse. In March 1982, the Danish Psychiatric Association voted to call for the expulsion of the Soviet Union at the WPA conference. Other psychiatric and medical associations throughout the world continue to press for the release of individual victims of Soviet psychiatric abuse, and for the abolition of the punitive use of psychiatry.

PENALTIES BY IMPRISONMENT

Exact numerical figures on Soviet prisoners of conscience and the prison population as a whole continue to be a matter of speculation. In April 1979, four imprisoned members of the Helsinki Monitoring Groups estimated that there were no less than three million persons being held in various restrictive facilities (prisons, labor camps, settlement-colonies, education-labor camps for minors, labor projects for early parolees, etc.) and another two million sentenced to mandatory labor terms without incarceration.

Amnesty International presently lists around five hundred prisoners of conscience. Another source, the "List of Political Prisoners in the USSR" (June 1982), claims 848 such prisoners, including victims of psychiatric abuse. The category "prisoners of conscience" covers a wide assortment of alleged "crimes" for which such prisoners are charged, ranging from "anti-Soviet agitation and propaganda" to "possession of drugs". The real reason that these persons are arrested is that they have engaged in activity which is politically unacceptable in the Soviet Union such as applying to emigrate, or producing unapproved works of art or literature.

For prisoners in general there has recently been a significant increase in the application of the death penalty. Abolished in 1947, the "highest measure" has been gradually reinstated (although theoretically on a temporary basis, according to the Soviet legal code) for such crimes as treason to the motherland, theft of state property in large quantities, and surrendering to the enemy. While statistics on the application of the death penalty are not published in the Soviet Union, Aleksandr Ginzburg testified at a Commission hearing in 1979 that five or six persons are executed from each oblast yearly, suggesting an annual figure of 1,000-1,200. Former Gulag inmate Dmitry Mikheev claims that old, "uneducable" prisoners are executed at a rate of several dozen a year. Ukrainian human rights activists claimed that five former members of the Ukrainian Partisan Army, although rehabilitated in the 1950's, were sentenced to death in 1981. In January 1979, three young Armenians were executed for allegedly blowing up a section of the Moscow Metro and killing six bystanders. There is persuasive evidence that they were framed for this crime and that their real crime was carrying on nationalist activities in Armenia. In April 1982, four Georgians were sentenced to death for alleged terrorist attacks on police facilities in that republic.

Although the Soviet criminal code prescribes forced labor punishment as a means of re-educating lawbreakers, it is known that the use of such labor plays a major role in the economy, a role that may increase with further development of Siberian natural resources, energy and transportation projects. Convicts and those sentenced to "mandatory labor without incarceration" are required to work at camp facilities, factories, public works projects and even in agricultural programs.

Former prisoner Mikheev points out that forced labor has another objective: to wear down the creative, individualistic tendencies of the prisoners.

As a rule, Soviet prison authorities attempt to keep their charges alive, lest too much world attention be focused on camp and prison conditions. They were unsuccessful in the case of Vladimir Shelkov, 84-year-old head of the True Remnant Adventist Church and Yuri Kukk, Estonian scientist and human rights activist who declared a hunger strike en route to camp and died in March 1981.

There is an established regimen of nourishment for each of the prison "regimes" (see Appendix, Conditions of Incarceration According to the Various Penal Regimes), although there is evidence that these norms are ignored in many cases involving political prisoners, when, for example, political prisoners stage symbolic protests against harassment by guards and provocateurs, or against poor living conditions. As of May 1982, Dr. Yuri Orlov had spent two years of his four-year sentence behind barbed wire in punishment cells that often included a severely restricted diet. Orlov, an internationally recognized physicist and Moscow Helsinki Group founder, was punished for such "violations" of camp rules as attempting to smuggle a scientific article out of the camp and for complaining to the prosecutor's office about provocations against him by camp authorities. Orlov, 57 years old and in poor health as a result of such treatment, has been told that he will never leave the camp alive.

Jewish emigration activist and Moscow Helsinki Group member, Anatoly Shcharansky, wrote in September 1981 that he had been informed by a Major Pyankov that his daily ration was approximately 1,500 ..."a quantity that guaranteed prevention of irreversible damage to the body" according to Pyankov. The absolute minimum is cited as 1,750 calories. Shcharansky repeatedly has been put in isolation for allegedly refusing to work, although the authorities refuse to give his relatives any specific facts about his condition.

Christian Seminar member Vladimir Poresh was thrown into a labor camp prison cell and deprived of personal visits until November 1982 for having staged a hunger strike to demand return of his Bible. Another imprisoned member of the Christian Seminar, Aleksandr Ogorodnikov, went on a hunger strike for two months in the prison cell where he had been confined. Ogorodnikov was seeking to have his Bible and prayer book returned to him and the opportunity to visit with his fiancee. Ukrainian nationalist Myroslav Simchich was put in solitary confinement for fifteen days for allegedly "not wanting to work" after a December 1980 search had found three religious post cards among his belongings. In February 1981, Aleksei Murzhenko, one of the "Leningrad Aircraft Hijackers" seeking to escape abroad, was denied use of the camp shop and the receipt of parcels for lying on his bunk without undressing. In June 1981, Ukrainian Helsinki Monitor Oleksy Tykhy was put in the punishment cells for six months for having allegedly "broken the regulations."

Mail for political prisoners, even in its heavily censored form, is frequently delayed or confiscated by the prison authorities. When Myroslav Simchich's wife complained about delays in her husband's correspondence, the camp officials suggested that perhaps her husband did not wish to write...even though his health had been ruined by his overtime labors on his family's behalf. Since early 1982, Anatoly Marchenko's wife and son have received only one post card from him. Mail to Anatoly Shcharansky from his brother and his wife in Israel is not delivered. He receives only about one in ten of his mother's letters. In 1978, Latvian activist Ivars Grabans complained to the Soviet Presidium that his letters to Latvia from his camp took 50 to 60 days to reach their destination. When prisoner Orenberg attempted to send a congratulatory telegram to Israeli Prime Minister Begin upon his re-election, the authorities refused to send it. A few days later, Orenberg was sentenced to a solitary confinement cell for 15 days for having a button open on his jacket.

Another means of punishing and isolating prisoners is withholding visiting privileges. On June 7, 1981 Kirill Podrabinek was placed in a punishment cell for "violating the regime" and subsequently deprived of visiting privileges until June 1982 (in January 1982, Podrabinek slit his wrists in protest against confiscation of his poetry by the authorities at Tobolsk Prison). On the grounds of violation of administrative rules, Leonard Ternovsky, Vladimir Poresh, and Aleksandr Podrabinek (brother of Kirill) have been denied visiting privileges for all of 1982. From 1976 to 1980, Lithuanian prisoner of conscience Petras Pluiras-Plumpa (released in September 1981) was not allowed even one meeting with his family. Yuri Orlov has not seen his wife since 1979. Yuri Fedorov's mother was denied permission to see her son because he had been transferred to a hospital where allegedly there were no facilities for visits. The same treatment was accorded Raisa Rudenko in February 1981, when she arrived to visit her husband Mykola Rudenko in the hospital at Mordovian Camp No. 3. In the fall of 1981, Genrikh Altunyan was denied visiting privileges with his elderly mother, on the grounds that there was a herpes epidemic at Perm Camp No. 36.

"Official" mistreatment and harassment at the hands of prison officials are not the only hazards faced by political prisoners. Vytautas Vaiciunas of the Lithuanian Helsinki Group wrote in the autumn of 1981 from his camp in Chelyabinsk Oblast, that the criminal element is in charge of everything. They strip those who have better clothes and anyone who resists is beaten up.

When Bogdan Chuilo arrived from camp in the Chelyabinsk region to a transit prison in Solikamsk on May 6, 1981, he was set upon by criminals in his cell, who robbed him and beat him up badly. Aleksandr Till, an imprisoned ethnic German refusenik, was beaten in his jail cell by criminals following his appeals trial in June 1982 in the Kirghiz SSR.

There is a good deal of evidence to indicate that supposedly random, unsanctioned violence has actually become an institutionalized, accepted form of reprisal against recalcitrant prisoners, or against those to whom the authorities simply take a dislike. In April 1981, Ivan Kovalev described the savage beatings meted out to Sirvard Avagyan during her seven-month term in a solitary confinement cell at the womens' labor colony in Bokhansky Raion. In a letter written from a prison in Yelets, Lipetskaya Oblast, Belorussian prisoner of conscience, Mikhail Kukobaka, described his beating by thugs set upon him by prison authorities. He further described the general conditions of his incarceration:

> Degradation of human dignity without limit. Instances of homosexual assault are a frequent occurrence. Many people have left this prison as physical and psychological cripples, there have been cases of out-and-out murder, but this has all been "written off", and no one has been punished.

Kukobaka goes on to say that he is convinced that all this transpires with the knowledge of the Oblast and Republic officials of the Corrective Labor Administration.

There is another report from the Andizhanskaya Prison in Uzbekhistan that claims that guards and thugs beat prisoners to death as a matter of course at that facility. The author of the report states that he was an eyewitness to the four-day death by beating of a prisoner called "Boxer".

According to the International Representation of the Evangelical Baptist Churches in the Soviet Union, several of the 157 Baptists presently in labor camps have been subjected to attacks and beatings. Another Baptist prisoner of conscience, Pyotr Rumachik managed to smuggle a letter out of camp to his family: "I don't feel too bad at all -- something like Nikolai Khrama felt..." (Nikolai Khrama died in prison after physical mistreatment by prison authorities). Reform Baptist Mikhail Khorev was beaten for a week in a Sverdlovsk prison and threatened with murder. Vitaly Varavin lost his hearing after five days of beatings in a Leningrad prison.

The "SMOT" Bulletin of August-September 1981 describes "press chambers", or cells specifically designated for beating prisoners, in investigative prisons:

> There is a wealth of convincing evidence to the effect that "press chambers", i.e. torture chambers, exist throughout the Soviet Union in almost all of the investigative prisons.

During the trial of Kirill Podrabinek, a prisoner named Filimonov charged that he had been threatened with the "press chamber" unless he perjured himself against Podrabinek. According to a reliable source, a similar incident took place during the trial of Mustafa Dzhemilev. Moreover, Aleksandr Soldatov was apparently beaten up in a "press chamber" in a Tallinn prison. A samizdat account of one man's 15 days in a Moscow "special holding cell" reveals how two young men were regularly beaten in order to extract a murder confession from them.

On July 18, 1981 Marzpet Arutyunyan was beaten up in a Rostov transit cell by two secret police lieutenants. He suffered three broken ribs and a collapsed kidney.

Unbearable camp conditions have provoked occasional riots. A revolt was reported in the Kherson Oblast due to beatings by guards and poor food quality. One guard was reported killed before the violence was quelled. Another riot was reported to have occurred near Erevan, Armenian SSR, in August 1980, in which twelve persons were killed and some 100 wounded. In July 1982, the Norwegian newspaper Aftenposten stated that KGB troops were used to crush a revolt at the Pravieniskes camp near Kaunas in Lithuania. According to the report, the prisoners were resisting punishment for the killing of a KGB informer.

Participation in protests and strikes, demonstrations of political unity (to say nothing of open resistance), frequently leads to transfer to Chistopol prison used for isolating prisoners of conscience since 1978 (replacing Vladimir Prison). Sergei Kovalev, a well-known biologist and human rights activist, was transferred to Chistopol prison before his term of exile. Yuri Butchenko and Mikhail Slobodyan were sent from Perm Camp No. 35 to Chistopol in the fall of 1981. At the same time, Armenian activist Robert Nazaryan arrived in Chistopol from Mordovian Camp No. 3. Dr. Anatoly Koryagin, imprisoned Soviet psychiatrist and former consultant to the Working Group for the Investigation of the Use of Psychiatry for Political Purposes, arrived at Chistopol from Perm Camp No. 37 in late 1982. In the course of 198., Kirill Podrabinek was moved from Eletskaya Prison to Novo-Ulyanovsk, then to Uglich, Yaroslavl, and at the end of December 10 the prison in Tobolsk.

A further measure taken against Soviet prisoners of conscience in the camp is the practice of fabricating charges against them and re-sentencing them to additional terms before completion of the original term. Ten days before the end of his second term in camp, Aleksandr Bolonkin was charged with "anti-Soviet agitation and propaganda", with a possible 15-year term had not Bolonkin subsequently recanted. Scheduled for release in February 1982, Armenian nationalist Paruir Airikian was sentenced to an additional three years deprivation of freedom and three years exile in September 1981. Merab Kostava, a member of the Georgian Helsinki Group, was serving the last days of his exile in the fall of 1981, when he was sentenced to three more years in camp and two years of exile, allegedly for "insulting an officer of the law". One of samizdat editor Valery Abramkin's prison wardens reportedly said that if Abramkin refused to recent, he would spend the rest of his life in camp.

Belorussian prisoner of conscience, Mikhail Kukobaka, was rearrested in prison just prior to his scheduled release, held for investigation for about a year, and sentenced to three more years labor camp in the summer of 1982.

Re-sentencing prior to release is a frequent fate for Ukrainain prisoners of conscience. Ukrainain Helsinki Group member Vasyl Sichko was rearrested on December 3, 1981 in a Cherkassk camp on charges of "possession of narcotics", and sentenced to another three years of labor camp. His original three-year sentence was due to expire in early 1982. Sichko maintained that hashish had been planted among his belongings and requested in vain that a proper investigation be made. Yaroslav Lesiv, another Ukrainian Helsinki Monitor, was due for release from a two-year term on narcotics possession charges in November 1981. Instead, he was retried and sentenced to five more years strict regime on renewed narcotics charges. A third Ukrainian Helsinki Monitor, Vasyl Striltsiv, was retried on unknown charges shortly before his scheduled release in October 1981 and given six more years strict regime. Ukrainian Helsinki Monitor Vasyl Ovsienko was serving a three-year term (1979-82) in a camp in Zhitomir when he was retried in June 1981 on charges of "anti-Soviet agitation and propaganda" and given the maximum sentence of ten years camp and five years exile. In addition, Vladimir Skvirsky, a geologist and member of SMOT, was sentenced to an extra year and ten months imprisonment in October 1981 while serving a previous five-year term on exile on political charges.

On March 8, 1981, "International Womens's Day," the Moscow Helsinki Monitoring Group published the names of at least 62 women political prisoners in the Soviet Union, most of whom are religious dissenters, and many of whom are elderly. Five of those listed, including one released in 1980, were in psychiatric confinement. According to a Moscow Helsinki Group document issued on March 1, 1981: "None of the amnesties included a single woman prisoner of conscience, not a single woman sentenced for her faith in God, or for her human rights activity."

At present, women prisoners are confined in separate facilities from the men, with one labor camp for women political prisoners located at Barashevo in Mordovia. The sanitary and personal facilities for these women are extremely primitive.

Prior to incarceration or exile, every person arrested on political charges or otherwise, is subject to a preliminary investigation when the accused is held in an investigative cell. Although Soviet law stipulates that preliminary investigations may last no longer than two months, in practice they may range from several days to years. Conditions for political prisoners apparently are somewhat less crowded in "investigative-isolation" cells, because the authorities prefer to keep the accused isolated. One unique feature of the "isolation" cells are beds ribbed across with metal rods, instead of the traditional wooden cots.

Every ten days, prisoners are allowed to take showers. Otherwise, washing is limited to the hands and feet. No special provisions are made for womens' sanitary needs. Even when the investigation is completed, the prisoner is usually held for another month or two until the trial gets underway.

After conviction, the prisoner is placed in "convoy" for transfer to his destination. Again, "especially dangerous state criminals" are kept in less crowded compartments than regular prisoners; one or two under close guard in a cell in the special railroad passenger cars, "Stolypin wagons".

The length of time of the trip bears no particular relation to the distance involved, since the train goes to all other prisons along the route. Food and water are issued according to strict regulations, which also limit toilet privileges to three times a day. The toilets, indeed, rarely have any water.

According to Ukrainian activist, Nina Strokata: The toilet bowls on Stolypin wagons are transformed into masses of excrement. In the winter, this mass freezes, and the regular use of the toilet becomes practically impossible.

Absolutely no paper is allowed, lest information be collected and distributed.

The next step is the "peresylka" or transit prison, where conditions are somewhat better. As Nina Strokata said: All who have been in the present Gulag Archipelago agree that the peresylka is paradise compared with the hell of the etap (convoy).

Transfer prison cells are similar to those of the investigation cells; prisoners are allowed to exercise for one hour per day. The entire process from trial to camp typically includes two or three convoys and transit prisons.

Labor camp sentences are almost invariably accompanied by subsequent exile to a remote location within the Soviet Union, usually Siberia. Selection of the place of exile theoretically is based upon the health and strength of the prisoner, but this is not always the case. Sometimes, according to Victor Meiman, the actual determining factor is whether the Soviet authorities want the prisoner to survive his term -- since some Siberian exiles are tantamount to death sentences.

Ukrainian activist, Ivan Svitlychny, for example, became gravely ill in exile in the Gorno-Altaisk region of Siberia. Yuri Shukhevych, reported to have gone blind despite an eye operation in Leningrad, was slated to be sent into exile in March 1981. Oksana Meshko was sent to a "border" area of eastern

Siberia, near the Pacific coast, where purportedly for security reasons, she is not allowed to have visitors. Irina Grivrina, member of the Commission to Investigate the Use of Psychiatry for Political Purposes, was sent to Kazakhstan to serve five years of exile. Grivnina has a young daughter who is seriously ill.

Political prisoners purposely are sent to separate places of exile, leading not only to physical, but also to intellectual and emotional isolation. Mail, of course, is censored.

In theory "free" upon having left the camp or prison, the liberated prisoner is accompanied to his or her place of exile by MVD guards. Upon arrival, the prisoner is given special identity papers, rather than a usual Soviet residence passport. The former prisoner must stay within certain limits, usually those of the community or work area to which he or she has been assigned. The exile must report to the local MVD office weekly, find employment, and a place to live. Employment in one's profession, even if the opportunity exists in the area, is virtually out of the question. For instance, Irina Senyk, a qualified nurse, was last reported to be working as a hotel chambermaid in the town to which she had been exiled. Gaining employment outside one's field can also be difficult, as exiles may come up against prejudice or interference by party functionaries or the KGB. In 1976, Ukrainian mathematician Pavlo Kampov went without eating for 12 days while he tried to find work in the town of Komolsk, Siberia -- he was finally offered a job as a stable boy. In 1981, Kampov was re-arrested on charges of "pension violation" and sentenced to another labor camp term, even though he is disabled and nearly blind. Iosif Begun, an electrical engineer, was barred from organizing a technical and hobby program at the school in Burkandia where he was exiled.

Finding employment may also be difficult by being subjected to "administrative surveillance". Inasmuch as administrative surveillance entails a curfew, this further limits the few work options that exist. Administrative surveillance extends up to five years for an original two-year term, although one former prisoner has stated that "after the first six months, which are usually prescribed, the period can be extended again and again at the whim of the authorities. A person can be kept under surveillance for the rest of his or her life". This was made painfully clear to Plumpa-Pluiras, who was beaten in Vilnius prior to his release, and warned by the KGB that he would be watched closely.

Citizens who are under administrative surveillance are visited frequently by the police checking up on their whereabouts, their guests, their personal business, etc. Refusal to cooperate may lead to interrogations at police headquarters and increased harassment. According to one dissident emigre, attempts to obtain specific definitions of police powers and legal constraints vis-a-vis the person under administrative surveillance have been persistently rebuffed.

Residence restrictions on former prisoners continue to be assiduously observed. In the vast majority of cases, the released prisoner is not allowed to return to his or her place of residence for a period of time equal to that of the term of incarceration. Well-known Jewish emigration activist, Ida Nudel, returned from exile in March 1982 and has been denied permission to live in either Moscow or Riga. Former prisoner of conscience Iosif Zisels has been attempting to find employment since his release in February 1982. In April, he was told to find a job in a month or face criminal prosecution. The vast majority of ex-prisoners face similar or worse problems.

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A Note on the USSR Human Rights Section

Inclusion of examples from Lithuania, Latvia and Estonia in this part of the report is solely for the purpose of revealing the scope and scale of the repressive actions of the Soviet government. The inclusion of such examples does not reflect any change in Commission support for the long-standing U.S. Government policy of non-recognition of the illegal Soviet annexation of the Baltic states.

Unless otherwise noted, all recent examples of individual cases of arrest and imprisonment are from Cronid Lubarsky's USSR News Brief for the entire USSR Human Rights section. Radio Liberty Research has been an invaluable source of information on political and social trends in the Soviet Union, particularly for nationality issues under Cultural and Ethnic Rights, as were Keston College materials under Religious Rights. In addition, various non-governmental groups and individuals -- too numerous to mention -- have been most helpful in providing information for this section of the report.

CHAPTER FOUR - BASKET II
(Economic and Scientific Cooperation)

Introduction

There has been very little positive change of any significance in the areas of Basket II discussed in previous Commission implementation reviews. The continued lack of Eastern implementation of the provisions of the Final Act related to economic and marketing information, facilitation of business contacts, access to industrial and commercial end-users, and to freer scientific exchange has persisted over the last two years. While there has been some uneven progress, the situation in certain countries has worsened.

ECONOMIC COOPERATION

The profound shocks produced by Soviet actions in Poland and Afghanistan have soured the entire climate of East-West relations and made economic and commercial dealings more difficult. As a whole, however, commercial relations between East and West have continued to expand, with the exception of Poland. Hard currency debt problems have hindered greater cooperation and have redefined business relations with Eastern Europe. Western firms and banks are much less inclined to do business with the East. Scientific cooperation has dropped off significantly as a result of the worsening international atmosphere.

Eastern Compliance: Economic Cooperation

Continued recession in the West and debt problems in the East have placed a damper on commercial relations between East and West. Eastern compliance with Basket II economic provisions has continued to present a mixed picture with notable backsliding in some countries and improvement in others. Although the climate of detente has suffered considerably as a result of Soviet actions in Poland and Afghanistan and the worsening Soviet human rights record, economic relations to date have not reflected the deteriorating political atmosphere.

USSR

Soviet implementation of the Basket II provisions of the Helsinki Accords during the last two years has deteriorated in some areas while showing little or no progress in others.

Working conditions for business representatives have taken a downward plunge. Rents for office space continue to be subject to sudden, arbitrary and exorbitant increases. New regulations resulting in the loss of control and flexibility over locally-hired Soviet employees have complicated working relations and increased the cost of remuneration of Soviet staff. Direct international telephone dialing service has been eliminated. Foreign business representatives have experienced increased problems in vehicle registration and maintenance and in making business travel plans. For foreign businessmen residing in the Soviet Union, it became no longer possible as of July 1, 1981 to make purchases in special food and department stores. Because of these difficult conditions and other factors, no new U.S. firms have requested accreditation to open offices in the USSR in the last two years.

The quality and quantity of commercial and economic information available from the Soviet Union has not improved and, in many cases, remains severely restricted and incomplete. Reporting of data is often dependent on whether economic performance has been good or bad. As an example, the results for the 1981 grain harvest, which are the most widely-watched indicators of agricultural production, were not released for the first time in many years. The 1982 harvest year brought the fourth consecutive poor harvest, a condition reflecting poor management, inefficiency, and adverse weather.

Economic information published in the Soviet Union is consistently plagued by overemphasis on aggregate statistics, omission of detail, and imprecise definitions. For example, despite being in the second year of the current five-year-plan, the USSR in June 1982 still had not published details of the plan beyond meager accounts of the "guidelines." Also, production categories previously provided were omitted in the 1981 year-end industrial figures. January and February 1982 data did not include overall growth rates for industrial production and labor productivity, both important indices for analytical review of the Soviet economy.

U.S. diplomatic personnel continue to be severely restricted in their direct access to Soviet trade officials and economic managers, in stark contrast to the easy access which Soviet personnel have in the United States.

Bulgaria

Bulgaria continues to treat economic and commercial information as highly confidential and strictly limits access by foreign business representative to Bulgarian end-users. The Bulgarian leadership not only restricts the flow of economic information abroad, but also within its borders.

Economic and statistical reporting suffer from incompleteness, tardiness, and often the inability to compare past reporting with current data. The overemphasis on aggregate as apposed to detailed statistics is the worst in Eastern Europe, on a par with Romania. Bulgarian indices reflect only relative external prices which thereby precludes any analysis of the influence of international flow of goods and money on the domestic economy.

Regularly published Bulgarian statistical yearbooks are accessible, but usually after a year's delay. Overall, though, the completeness of economic and statistical reporting has decreased. Bulgaria, for example, no longer publishes its state budget in the statistical yearbook. Its economic plans have become less detailed. The Bulgarian "New Economic Mechanism" has not improved Western access to Bulgarian end-user firms and ministry officials. Bilateral trade with the West is at a low.

On the positive side, Bulgaria published a decree on March 28, 1980, permitting foreign joint equity investment in Bulgaria. Four Western firms have subsequently signed joint venture agreements.

Working conditions for business representatives have not improved much. Continuing delays in obtaining office space, exorbitant rents and serious difficulty in finding living accommodations are still constant problems.

Access to foreign trade organizations handling exports and imports for Bulgarian enterprises is reasonably good, but contact with end-user firms remains difficult. Lack of hard currency has given rise to greater demands for countertrade arrangements and has further accentuated centralized control in the economy.

Romania

Romania continues to place heavy restrictions on the flow of economic and commercial information. In some areas, Romania's record is truly abysmal. No statistics showing commodities or commodity groups by country or country groups have been published. Comparable indices of exports and imports in constant prices are not published. Also lacking are basic data on exports and imports in domestic prices that are published by Hungary, Poland and Czechoslovakia, and virtually nothing is known of Romania's statistical methodology.

Romania does make an effort to distribute promotional material in several languages, but rarely provides economic information in a useful format, and that which is provided is usually tardy. Recent foreign trade data has been published in a new format with no corresponding linkage to past data, thus preventing comparability analyses or translation into hard currency terms.

Business representatives find access to officials relatively good at both upper and working levels. The number of business offices has increased so that currently there are 32 American firms represented in Bucharest. While it takes six to eight months to process applications of Western firms to open a business office, visa restrictions are minimal and business travel is not impeded.

Recently, however, a combination of hard currency problems, increased government demands for countertrade transactions, and the enactment of new laws systematizing and restricting investment has led to reduced business prospects, payment delays, and cutbacks in personnel for many foreign companies. Insistence by

Romanian Foreign Trade Organizations that countertrade arrangements become more comprehensive in contracts with Western firms, in particular, has made trading with Romania less attractive.

Poland

On the whole, Polish statistics compare favorably with those in other East European countries, although most of the economic and commercial information released is not current and does not contain enough details to permit thorough economic analysis or adequate market research. Furthermore, recent information surfacing in the West has raised the question whether Polish authorities may occasionally be tampering with data in order to support claims of economic improvement.

The declining economic situation and martial law conditions have severely hampered commercial activity. Poland's grave shortage of convertible currencies and the resulting decline in trade have drastically circumscribed business opportunities for Western firms.

Business access has been hampered by the interruption of all telephone and telex service and difficulties in obtaining gasoline for business travel. In addition, absence of dependable air service makes conducting business more difficult and costly. Two of the 20 U.S. business offices in Poland closed in recent months. Increasing demands for different forms of barter and countertrade have contributed to the decline in business activity.

Hungary

Hungary's fulfillment of its Basket II obligations has remained at a higher level than other Eastern European states.

Business contacts remain generally satisfactory with some easing of access to producers and end-users. There appears to be a continual effort by Hungary to develop new forms of business cooperation with the West. There are some 60 active cooperation agreements with the West including new joint venture agreements recently signed, and there are on-going negotiations for more.

Internally, the economic reform movement, aimed at greater reliance on market mechanisms and private initiatives, continues. Recent developments include an adjustment of tourist and commercial exchange rates to bring them into free market rates. Additionally, Hungary has been accepted into the International Monetary Fund which should help in long-term development plans.

Two U.S. firms have opened business representative offices in Budapest, with a third also recently granted permission to do so.

The quality and quantity of Hungarian economic statistics surpasses that of almost any other Council for Mutual Economic Assistance (CMEA) country. The methodology of the accounts is close to generally accepted United Nations practice, and the data appear to be reliable. Business and commercial information is disseminated fairly freely in newspapers, journals and specialized economic publications available to Westerners.

German Democratic Republic

Basket II compliance by the GDR has deteriorated over the last two years in several categories. In October 1980, the GDR instituted new currency exchange control regulations which have adversely affected business and personal travel from abroad. Business visas are not a problem, but tight customs regulations prevent foreign businessmen from bringing sales literature into the GDR. Lately, foreign exchange problems have resulted in a noticeable reduction in commercial relations with Western countries as a whole, and pressure has been applied to require countertrade proposals in an effort to tie import outlays to national exports.

Recently, the GDR initiated a reorganization of its foreign trade bureaucracy which has been designed to bring the foreign trade organizations into closer contact with Western industrial enterprises. The result, however, has only been the publication of new names and addresses of contacts in these relevant organizations and no appreciable improvement in actual commercial arrangements.

Over the years, fulfillment of the GDR's commitment to provide economic statistics has become significantly worse with regard to quality, timeliness, and quantity. There has been no effort to increase the international comparability of statistics and, in some cases, where data was published in the past, it is no longer available.

The GDR's provision of macro-economic data has deteriorated the most over the two year period. The 1980 "Statistical Yearbook," the main source of information on GDR economic performance in 1979, was not available until March 1981, and then only in limited numbers. Furthermore, this macro-economic information is published in a highly aggregate form which does not serve the needs of banks and business firms seeking to evaluate potential business relationships. As a general rule, the GDR also does not release information on international accounts.

Czechoslovakia

Policies in Czechoslovakia governing foreign economic and commercial cooperation remain the strictest of the CMEA countries. Over the last two years there has been a steady decline in business working conditions. Business negotiations are protracted and characterized by the need to penetrate layers of ministerial bureaucracy before useful contacts are made with the actual production planners. Conditions for the expansion of contacts continues to deteriorate. Access of Western businessmen to Czechoslovak officials and end-users remains poor, thus limiting the possiblity of acquiring specific commercial information on a particular business transaction. Insufficient and inordinately expensive lodging, longer delays at border crossings, confiscation of Western newspapers and periodicals, the practice of excluding U.S. and other Western firms from consideration on tenders, and increased requirements for countertrade arrangements have all contributed to a negative atmosphere for East-West private business cooperation.

The systematic downgrading of economic statistical reporting has been applied selectively and in indirect ways. The principal method of reducing the availability of statistics on actual developments has been the phasing out of quantitative information in the plan fulfillment reports and planning documents. Another tactic by the Czechoslovak authorities has been to cheapen the value of available data by expressing statistics only in relative terms (percentage of a base year) and to reduce the dissemination of production volume statistics. As a rule, data are inconsistent from year to year and publication delays persist. Foreign trade statistics for 1979 were not released until September 1980.

A direct consequence of the considerable difficulty in doing business in Czechoslovakia has been a decrease in the number of foreign and U.S. business offices there. Bilateral trade between the U.S. and Czechoslovakia is difficult to promote and finance and is at a current low. The recent establishment of a new "Import Commission" designed to regulate the outflow of hard currency will almost certainly lead to more cumbersome trading procedures causing longer delays in business transactions.

Multilateral Implementation

The Economic Commission for Europe (ECE) continues to provide a platform for expanded implementation of Basket II provisions of the Helsinki Final Act. During the last two years, international political realities have marred the cooperative spirit which has traditionally characterized this body's proceedings.

Two highly politically charged issues have been the focus of discussion at the ECE during the last two years. Whereas in the past 30 years, only a few ECE sessions had been directly influenced by world events, the combative and emotional atmosphere which surrounded the issues of energy and trade reflects the particularly volatile political situation in Europe caused chiefly by Soviet actions in Poland and Afghanistan. As a result, the prospects for increased trade development have declined and further consideration of the convening of a High Level Meeting on Energy has been postponed.

The fourth session of the Senior Advisors on Energy recessed without reaching consensus agreement on further negotiations. The Western nations were in agreement that even in this multilateral, technical forum, progress on energy cooperation could not proceed while peace and security in Europe were in jeopardy.

Even prior to the worsening political atmosphere, the ECE Trade Committee was the scene of a lively exchange of views during which the West clearly registered its deep concern about Eastern insistence for countertrade requirements in East-West trade. Countertrade is seen by the West as a burdensome, regressive form of trade which ignores the efficacy of the modern trading system and additionally penalizes smaller firms who are unable to absorb the additional costs of doing business in this form.

Consideration of trade issues will resume in November 1982 at the next scheduled session of the ECE's Committee for the Development of Trade. No meeting of the Senior Advisors on Energy has been scheduled. Discussion on these and other issues at ECE meetings will remain strained and with little prospect of progress as long as the Soviet Union continues its massive violations of the Helsinki Accords by its aggressive behavior in Poland and Afghanistan.

SCIENCE AND TECHNOLOGY

Soviet Union

U.S.-Soviet exchanges in science and technology conducted under the 11 bilateral agreements were sharply reduced as a consequence of Soviet actions in Afghanistan and Poland. Following the sanctions announced by President Carter on January 4, 1980 after the Soviet invasion of Afghanistan, the exchange of scientists between the two countries under the 11 agreements declined by 50 percent. Further declines followed the imposition of martial law in Poland on December 13, 1981 when the Reagan Administration announced that because of the Soviet Union's "heavy and direct responsibility for the repression in Poland" the bilateral agreements on space, energy, and science and technology, which were due for renewal in 1982, would not be renewed, and that all other exchanges with the Soviet Union would be reviewed. As a result, by early 1982 the exchange of scientists between the two countries had fallen to 25 percent of the level prior to the invasion of Afghanistan. In addition, several U.S.-Soviet Joint Commission meetings to review cooperation under the bilateral agreements were cancelled in accordance with the U.S.-imposed ban on high-level meetings with the Soviet Union after the invasion of Afghanistan.

Exchanges between the U.S. National Academy of Sciences and the Soviet Academy of Sciences also declined. In response to the exile of Academician Andrei Sakharov to Gorky in January 1980, the National Academy suspended its series of bilateral scientific meetings with the Soviet Academy. And as a consequence of reduced U.S. Government funding to the National Academy the exchange of individual scientists with the Soviet Academy was reduced from 100 to 55 person-months annually, beginning with the 1981 program year.

Despite these actions, eight of the 11 bilateral agreements were still in effect by mid-1982 and some scientific exchanges continued in non-sensitive fields such as health, pollution controls and safety. As a result of decisions taken prior to the imposition of martial law in Poland, four U.S.-Soviet agreements were renewed: World Ocean Studies, in December, 1981; Medical Science and Public Health, and Environmental Protection, in May, 1982; and Artificial Heart Research and Development, in June, 1982. For the three agreements which were not renewed in 1982, most activities ceased when the old agreements expired, although a few on-going activities continued. Also continuing were many scientific exchanges conducted outside the intergovernmental programs under direct contacts between Soviet scientific institutions and U.S. academic and scientific institutions and business enterprises. Many U.S.-Soviet scientific contacts were also maintained at international meetings attended by scientists of the two countries.

Soviet scientists continued to attend scientific meetings in the United States under invitations from U.S. institutions. The return flow of U.S. scientists to the Soviet Union was much smaller because invitations to attend Soviet national meetings are not routinely extended to foreign scientists, and U.S. scientists are not always interested in visiting the Soviet Union because of limitations on their access to Soviet scientists and laboratories.

Human rights violations in the Soviet Union were another factor which inhibited scientific exchanges with the Soviet Union. Many U.S. scientists have been unwilling to participate in scientific exchanges with the Soviets and to receive Soviet scientists in their laboratories because of the exile to Gorky of Academician Sakharov, the continued imprisonment of Yuri Orlov, Anatoly Shcharansky and other prominent Soviet scientists, Soviet discrimination against Jews, and the denial of exit visas to would-be Soviet emigrants.

An illustration of the general trend of reduced contacts occured in June, 1982 when, as a protest against the jailing and oppression of Soviet dissident scientists, some 7,900 prominent scientists from 44 countries agreed to suspend scientific relations with the Soviet Union. This announcement was made in October 1980 by the SOS Committee (named after the initials of Anatoly Shcharansky, Yuri Orlov and Andrei Sakharov). The participating scientists have pledged not to meet with Soviet scientists or to attend meetings with them. The group includes 32 Nobel Laureates, 187 members of the U.S. National Academy of Sciences, 82 Fellows of the U.K. Royal Academy of Sciences, and members of the French and Italian Academies.

Scientific American announced that it had signed an agreement with Moscow's Mir Publishers under which Mir will publish a Russian-language edition of the prestigious U.S. periodical. According to the agreement the Soviets will print up to 50,000 copies of each issue. The first issue is scheduled for January 1983.

In retrospect, the vision of scientific cooperation between the United States and the Soviet Union, which originated in the early 1970's, has been severely curtailed as a result of U.S. reaction to massive Soviet violations of the Helsinki Accords in Poland and Afghanistan. In addition, President Reagan in his annual message to the Congress on the U.S. Government's international activities in science and technology (March 22, 1982) commented on the difficulties in implementing the 11 bilateral agreements: "both our Government agencies and the American scientific community were quickly faced with the stark realities of the Soviet system:

-- Many of the best Soviet scientists are off-limits to foreigners; they work in the vast Soviet military sector, where the Soviet Union has chosen to expend a disproportionate and growing share of its natural resources.

-- Free exchange of ideas in non-sensitive areas, the norm in the West, is impeded because Soviet scientists face imprisonment for disclosure of unpublished research results.

-- Similarly, Soviet scientists are not allowed to travel freely to scientific conferences abroad, and many of the Soviet Union's national scientific conferences are closed to Westerners.

-- Jewish scientists, even when they can obtain an education in the Soviet Union, face limited careers.

-- The Soviet Government has chosen to imprison, exile or deny work to some of its most distinguished scientists for the 'crimes' of thinking independently or wishing to emigrate. Others are sent to psychiatric hospitals in flagrant misuse of science in service to the Soviet state."

Continued U.S. membership in the International Institute for Applied Systems Analysis (IIASA) is doubtful following a decision by the U.S. Government to discontinue its financial contribution when the current grant expires at the end of 1982. Efforts are underway in the United States to continue U.S. membership through another U.S. organization with private funding. IIASA is an East-West think tank established in 1972 near Vienna, Austria, where the United States, the Soviet Union and 15 other member countries have been studying long-term problems with global applications such as energy, food and water resources. U.S. membership has been maintained through the National Academy of Sciences, with funding by the National Science Foundation (NSF). The major factor in the U.S. decision to cut off its funding of IIASA is that the substantive benefits to the United States are considered to be minimal and the $2.3 million annual U.S. contribution would be better spent on other NSF science programs. Other considerations are also believed to be involved. A Soviet administrator at IIASA, who has since been recalled, was identified in 1981 as an intelligence agent. The United Kingdom has also announced British withdrawal from IIASA at the end of 1982.

A new organization, the Institute for East-West Security Studies, a New York-based research center established in 1982, seeks to bring together security specialists from East, West and the Third World for conferences, sustained periods of collaborative research and study, and other activities aimed at greater East-West understanding. The Institute sponsored an international conference on "The Future of the Helsinki Process" which was held in Bucharest, October 8-10, 1982.

Eastern Europe

U.S. scientific exchanges with Poland, the largest and most comprehensive with any country in Eastern Europe, suffered a setback with the imposition of martial law in Poland and subsequent developments. Exchanges had been conducted under a 1974 bilateral agreement which was due to expire at the end of 1981. Included was research in fields important to both countries such as agriculture, public health and energy. A new agreement was initialed by the two governments on October 2, 1981 but final signature was held up by the imposition of martial law on December 13. Because the old agreement provided that projects initiated and funded under the agreement would continue to completion should a new agreement not be signed, work on on-going projects continued. However, international travel of scientists under these projects was greatly reduced because of the imposition of tight restrictions on foreign travel by the Polish military regime and the reluctance of U.S. scientists to visit Poland while martial law continued.

A further complication occurred when Polish military authorities detained two U.S. diplomats on May 10, 1982 -- one of them the embassy science attache -- who were visiting a Polish scientist to discuss exchanges under the science agreement. This scientist and another Pole who was present at the meeting were both project managers of cooperative research being conducted under the science agreement. The two U.S. diplomats were accused by the Polish authorities of "promoting destabilizing activity," declared persona non grata and expelled from Poland. At the same time, government officials alleged in the Polish press that visiting U.S. scientists in Poland had engaged in espionage activities.

In retaliation, the United States expelled the Polish science attache in Washington and a second Polish diplomat, and suspended travel by U.S. and Polish participants in jointly funded research between the two countries. Approximately 100 scientists from each side who had been visiting the other country annually were affected by this action. However, correspondence and exchange of research results has continued between U.S. and Polish scientists working on on-going research, as has some travel of U.S. scientists to Poland under other programs.

Elsewhere in Eastern Europe scientific exchanges continued under various intergovernmental agreements. Exchanges with Hungary continued to develop favorably with no major problems reported. The National Science Foundation signed a new five-year agreement for joint research with the Hungarian Academy of Sciences in July, 1982. With Bulgaria, exchanges developed favorably under the agreement signed in 1978. However, by early 1982 difficulties began to emerge when the Bulgarian authorities did not reply to communications from the U.S. side, and cooperative research under the bilateral agreement slowed. The once active exchange with Romania was also severely hampered when Romanian authorities imposed restrictions on travel abroad by Romanian citizens. As a consequence, many of the cooperative research projects under the bilateral agreement have been terminated or abandoned.

Both Czechoslovakia and the German Democratic Republic have expressed interest in continuing talks with the United States leading to cultural and science agreements, such as have been in effect in other East European countries. The United States, however, has shown little interest in resuming the talks because of continued human rights violations in Czechoslovakia and the deteriorating state of East-West relations.

Exchanges with Czechoslovakia were also adversely affected by a severely restrictive visa policy which has denied visas to U.S. citizens (and other foreign nationals) who were born in Czechoslovakia. The new policy, which dates from early 1981, appears to be connected with the development of the Solidarity movement in Poland and fears that it might spread to Czechoslovakia.

Conclusion

Eastern implementation of Basket II in economics and science seems to be somewhat elusive in many respects. Over the last two years, international tension between East and West, precipitated by the Soviet-supported repression in Poland, has severely hampered expansion of Basket II principles. Mutual trust and confidence, which in the past partially provided a foundation for expansion of scientific exchange and bilateral trade, was severely lacking in this period of review. The progress which has been achieved is minimal and cannot be expected to improve until egregious Soviet and Polish violations of other aspects of the Helsinki Final Act cease.

CHAPTER FIVE - BASKET III
(Human Contacts)

Introduction

In the Human Contacts provisions of the Basket III section of the Final Act, the signatories agreed to "make it their aim to facilitate freer movement and contacts" and "to contribute to the solution of the humanitarian problems that arise in this connection." The participating states undertook a series of specific commitments regarding the reunification of families, marriage between citizens of different states, family visits, travel for professional and personal reasons, tourism and meetings among young people, and contacts among private and official organizations. In the seven years since the signing of the Final Act, the Eastern record of implementation of these provisions has varied considerably from country to country and year to year.

Since the signing of the Final Act in 1975, the countries of Eastern Europe, with few exceptions, have maintained strict control over the international movement of their citizens. The last two years witnessed a relaxation on the movement of Poles during the Solidarity period which, unfortunately, ended abruptly with the imposition of martial law. The rate of emigration from the Soviet Union has reached its lowest level in over a decade and the Soviet authorities have initiated a number of measures to further limit their citizens' contacts with foreigners, particularly Westerners. On the other hand, Hungary continues to maintain a relatively liberal attitude toward emigration and is often responsive to expressions of American interest in individual cases.

Following are reports by country on the status of implementation of the human contacts provisions in the two year period since the issuance of the Commission's last implementation report in August 1980. For additional background information on East European adherence to the human contacts provisions, readers should refer to that report as well as to the Commission's original report in 1977 on the status of compliance with the Final Act.

SOVIET UNION

The Soviet record of compliance with the human contacts provisions of the Final Act remains dismal. Soviet performance in the fields of emigration, family reunification, family visits and international travel has deteriorated significantly since the issuance of the Commission's 1980 implementation report. In an effort to further control the movement of its citizens, the Soviet government, for the past two years, has drastically reduced the number of emigrants as well as the number of applications considered for emigration. At the same time, harassment of would-be emigrants has intensified. The rates of emigration for the three minority groups which had been permitted to emigrate -- Jews, Germans, and Armenians -- has plummeted while the chances for other Soviet citizens to emigrate remain almost non-existent. This cut-back in emigration must be viewed as part of a systematic campaign which has as its aim the severance of contacts between foreigners and Soviet citizens.

Family Reunification and Binational Marriages

Laws and Regulations

Soviet laws on emigration and travel of Soviet citizens -- at least those few that are available in the West -- have not been amended since 1980. Yet, the regulations prescribing the procedures for granting exit visas are not even published. According to someone with considerable experience in the Soviet emigration maze, "There is no legislation on emigration in the USSR. In the Soviet Union, emigration is controlled by secret instructions and directives, which change to suit the situation at any given moment in time, but whose essence is always the same -- to restrict the number of people emigrating from the country, to keep information about the real state of affairs in this sphere."[16]

Despite the Soviet Union's international legal commitment to guarantee the right of "everyone to leave any country, including his own,"[17] the Soviet Union now recognizes family reunification as the only basis for emigration. Until 1976, some Soviet citizens -- Jews emigrating to Israel, Germans going to the Federal Republic of Germany and Armenians to Lebanon -- were allowed to leave the USSR on the grounds of repatriation; they were returning to their "historic homelands." However, the USSR -- citing the Final Act as justification -- decreed family reunification to be the only acceptable basis for emigration. This distorted interpretation of the very provisions which were designed to promote freer movement is one of the most serious setbacks to the letter and spirit of the Helsinki Accords.

In the last two years, the Soviet authorities have gone a step further. The Soviet authorities in May 1979 began limiting emigration only to those individuals with first-degree relatives abroad. Refusals on the basis of "insufficient kinship" became commonplace, reducing significantly the number of applicants as well as the number of persons eligible for emigration. Recently, however, even those applying to join first-degree relatives have been refused permission on the grounds that there is no reason for immediate family members -- such as parents and children -- to be reunited unless they are economically dependent on one another.

Process and Practices

The emigration process itself has not altered significantly since the Commission's original implementation report in 1977. The procedure remains time-consuming, costly, arbitrary and fraught with bureaucratic hurdles. The Office of Visas and Registration (OVIR), which administers Soviet emigration and travel policy, requires a host of documents from would-be emigrants; the first of these being vyzov, an invitation from a first-degree relative abroad. In the case of Jewish emigrants, the invitation must come from a close relative in Israel. Although many Soviet Jews now have immediate relatives living in the United States, only invitations from Israel are nominally acceptable to the OVIR and these must bear Israeli and Soviet postmarks. Purposeful non-delivery of Israeli-mailed invitations to Soviet family members remains a very real problem and a violation of the Final Act.

The cost of emigrating from the Soviet Union remains prohibitive for many -- 200 rubles per person in a country where the average monthly wage is about 160 rubles. For emigrants leaving the USSR with Israeli visas, an additional 500 ruble fee is charged for mandatory renunciation of Soviet citizenship.

Bureaucratic obstacles such as limited business hours at OVIRs, refusals to provide application forms and other types of official obstructionism as well as open hostility are common and have recently multiplied. OVIRs in some Soviet cities, especially the Armenian capital of Yerevan, recently have refused to accept vyzovs that are over a year old. Previously, it was possible for would-be emigrants to renew for one year their vyzovs at the Soviet Embassy of the country from which it came. The Yerevan OVIR, however, has declined to accept vyzovs that were extended by the U.S. Embassy and has required new letters of invitation from the United States. The Yerevan OVIR has also arbitrarily limited the number of applications for emigration by distributing only two to nine application forms each week. State Department officials estimate that there are currently at least 400 Armenians waiting merely to receive application forms. This practice of restricting the number of application forms is also evident in many Ukrainian OVIRs.

Another new bureaucratic burden is that persons who have been refused permission to emigrate and have waited the customary six months to reapply are increasingly being required to obtain a new set of documents, including affidavits from their places of employment and residence. In the past, reconsideration of an emigration application was made on the basis of documents already submitted. This new requirement -- which is also being implemented arbitrarily -- is not only time-consuming for the applicant but, in some cases, impossible to fulfill. Often places of employment will only supply the necessary clearance in return for the applicant's resignation and refuse to provide additional documentation once the applicant is no longer working there.

Some refused applicants, however, are being denied even the possibility to reapply. In the last two years, in direct violation of the family reunification provisions of the Final Act and proclaimed Soviet policy, another bureaucratic device has been utilized to reduce the number of emigration applications pending. Many long-term "refuseniks" -- those who have been refused permission repeatedly to emigrate -- have been told that their files would be stored away indefinitely and that further applications would not be accepted. Dora Sukonikova and her family were told in June 1982 that they would not be permitted to submit another application to join her brother in the U.S. Oleg Cherepahim, who first applied in 1977 to join his parents in the United States, was told in August 1980 that he could not reapply again. As with other recent regulations, this practice of denying the right to reapply was first instituted in Ukrainian cities -- Kharkov, Odessa, and Kiev -- and has spread sporadically to Moscow, Leningrad and other Soviet cities.

Since the Commission's 1980 report, an entire new category of would-be emigrants known as "waitniks" has been created. These individuals submitted their applications for the OVIR and simply never received answers to their emigration requests. Another larger group of potential emigrants are those whose emigration applications have not been accepted, usually on the grounds that they do not have sufficient reason to apply to emigrate. This device keeps the number of pending emigration applications as well as the ranks of the "refusenik" community low. In another development, Soviet German religious organizations can now only be registered if their members agree not to seek permission to leave the USSR.[18]

The most frequent reason for refusal of an emigration application -- as well as for refusal to consider an application -- has been "insifficient closeness of kin." The first-degree rule requires that a person wishing to emigrate must be joining a parent, child, spouse or sibling. Even this restrictive definition of family -- which contradicts the Soviet Code on Marriage and the Family -- is not applied uniformly throughout the Soviet Union. In some parts of Ukraine, for instance, siblings are not considered first-degree relations while at other OVIRs, applications of parents to rejoin their adult children are not accepted.

In the case of many long-term refuseniks -- persons waiting five, ten and more years -- the first-degree relative requirement is particularly burdensome. Those individuals applied to emigrate before the imposition of this rule and, for the most part, had been denied emigration on the grounds that they had access to state secrets. Recently, however, "state secrecy" has been replaced by "insufficient kinship" as the basis of their refusal, ironically, usually after the secrecy period for these refuseniks has expired.

This combination of new restrictions and bureaucratic obstacles has resulted in the lowest emigration rates in over a decade. While Soviet attitudes toward emigration have always been restrictive, a relatively lenient policy toward the issue in 1979 resulted in 51,320 Soviet Jews being allowed to emigrate and in 1980 emigration to the United States reaching an all-time high of 6,452. The years 1981 and 1982, however, have witnessed a drastic decline in the number of Soviet citizens -- of all extractions -- being granted permission to emigrate. Only 2,207 Jews left the USSR with visas for Israel in the first nine months of 1981 (a monthly average of 245), compared with 38,236 during the same period in 1979, 18,369 in 1980 and 8,282 last year. If emigration continues at the present rate, the year to date total for Soviet Jewish emigration in 1982 will be less than 3,000, the lowest rate since emigration began in 1970. Estimates of the number of Jews who actively want to leave the USSR range from 200,000 to 400,000.

For Armenians and Germans, the picture is equally bleak. Emigration of Soviet Germans to the Federal Republic of Germany has been on the decline since the record year of 1976, when close to 10,000 ethnic Germans left the USSR. In 1980, only 6,954 Germans were allowed to leave; in 1981, that figure dropped to 3,773 and in the first six months of 1982 only 1,235 Soviet Germans emigrated. The number of ethnic Germans seeking to leave the USSR has been estimated to be between 100,000 and 150,000.[19]

For Armenian emigration, the annual rate for 1982 is now at an astonishingly low of 300 -- less than 5% of the number allowed to leave the USSR in the record year of 1980, when 6,109 Armenians emigrated to the United States and Armenians constituted 95% of the total Soviet emigration to the United States. In 1981, when 2,085 Soviets came to the United States, 91% or 1,903 were Armenians. In the first five months of 1982, however, only 68% of the 182 persons who were allowed to leave the USSR for the United States were Armenians.

Despite the institution of the close kinship rule of family reunification, many family reunification cases involving first-degree relatives remain unresolved. There are currently 84 families, involving 259 individuals, on the list maintained by the State Department of persons actively seeking to join close relatives in the United States and who have been refused at least once by the Soviet government. The oldest unresolved family reunification case between the USSR and the United States involves 64-year-old Anatol Michelson, whose wife and daughter have been trying to emigrate to join him in this country for twenty-six years. The Soviets claim that the case will never be resolved since Mr. Michelson left the Soviet Union in 1956 without permission. Yet, in June 1982, the Soviet allowed the wife and son of Soviet defector and chess master Victor Korchnoi to join him in Switzerland. Thus there is a precedent for such cases even though the Soviets prefer to ignore it.

Even in cases involving elderly or seriously ill first-degree relatives, the Soviet Union has refused to allow the reunification of families. Francesca Yanson, the 74-yer-old mother of Valery Chalidze, who was stripped of his Soviet citizenship in 1972 while on a U.S. lecture tour, has been denied an exit visa since 1980 to rejoin her son in New York. Mrs Yanson suffers from cancer.

The Soviet record of compliance with the binational marriage provisions of the Final Act remains mixed. While the majority of U.S.-Soviet marriages appear to take place with little or no difficulties, the U.S. Embassy in Moscow estimates that 42 exit permit applications of Soviets wishing to join their American spouses have been refused for more than eight years and at least 20 more have been refused exit permits for periods ranging from two to five years. Among this last group are Yuri Balovlenkov and Sergei Petrov, both of whom are married to American women, and who undertook life-threatening hunger strikes in the summer of 1982 to protest their forced separation from their spouses.

The hunger strikes by these two men -- following as it did the successful fast by Dr. Andrei Sakharov and his wife to win their daughter-in-law's emigration and the earlier fasts last spring by the members, including Balovlenkov, of the Divided Families Association -- prompted OVIR officials to hold an unprecedented press conference for foreign journalists. Conducted on July 9, 1982 by Deputy Chief of the Moscow OVIR, Sergei Fadeev, the press conference was a clear indication of Soviet sensitivity to the adverse publicity these hunger strikers had generated in the international media. At the conference, Fadeev asserted that the Soviet Union's attitude toward binational marriages "has always been benevolent" and that in Moscow alone during 1981 and the first six months of 1982, 440 Soviets had married foreigners, including 12 Americans. Fadeev also claimed that 380 Soviet spouses had been granted permission to emigrate in that 18-month period. Yet, of the seven original members of the Divided Families Association who undertook hunger strikes on May 10, 1982, three -- Yuri Balovlenkov, Tatiana Lozanskaya, and Marija Jurgutis, all of whose spouses are American citizens -- continue to be denied exit permission. In addition, Mateev Finkel has been denied permission to emigrate to live with his American wife since 1979 and her repeated visa applications to visit him in the Soviet Union are also denied. The longest-standing unresolved U.S.-Soviet binational marriage case involves Irina Ashtakova McClellan of Moscow who has been trying since 1974 to join her American husband in the United States. The experiences of these individuals belie Fadeev's claim that Soviet binational marriage policy is "based on humane consideration."

Hunger strikes have also been utilized in the last two years by others seeking to protest denial of their right to emigrate. Soviet chessmaster Boris Gulko and Anna Akhsharumova declared a hunger strike on October 20, 1982, to protest their three-year-old visa denial. The Pentecostal families living in the basement of the U.S. Embassy -- the Vashchenkos and Chmykhalovs who have been trying to emigrate since 1961 and 1962, respectively -- staged several protest fasts this year. Nevertheless, their efforts to leave the USSR for any country which will allow them to freely practice their religion continues to be unsuccessful. The plight of these families mirrors the fate of an estimated 50,000 Soviet Evangelical Christians -- mostly members of unregistered Pentecostal and Baptist sects -- who seek to emigrate from the USSR for religious reasons. Without, however, the prerequisite invitation from a family member abroad -- which most do not have --

their prospects for leaving the Soviet Union are very dim. The same can be said for the untold numbers of ethnic Russians, Ukrainians, Latvians, Lithuanians and others who -- without relatives outside the USSR -- stand little or no chance of ever being allowed to leave.

Despite the Final Act pledge that the presentation of an application "will not modify the rights and obligations of the applicant or members of his family," the Soviets continue to subject applicants for emigration to a wide assortment of punitive actions. These include demotion or loss of employment, denial of higher education opportunities, house searches, physical harassment and beatings, loss of pension, loss of residence and threats of criminal prosecution.

One of the latest anti-emigration measures which the Soviet government has devised is the revocation of academic degrees. In a practice begun in 1980, a number of distinguished Jewish scientists who have sought to emigrate have had or are in the process of having their higher academic degrees revoked. At least 65 scientists from a wide range of disciplines -- history, mathematics, medicine and geography -- have been affected so far. In Moscow, Leonid Stonov, who has been trying to emigrate to Israel since 1979, was deprived of his title of Doctor of Agricultural Sciences. The decision was taken by VAK -- the Soviet Higher Attestation Commission -- in January 1981 but Dr. Stonov was not informed until December of last year. Several scientists were notified that their degrees were being revoked for "unpatriotic behavior" as evidenced by their applications to emigrate. In an open letter written in February 1982, 13 prominent Jewish scientists who have suffered the same fate wrote: "We are being destroyed as scholars and breadwinners...Our knowledge is locked away to decay." They rightly interpret their plight to be "a deterrent for all potential new applicants for emigration to Israel."

The use of military conscription to deter emigration is a continuing practice in the USSR. The men of families who want to emigrate are drafted into military service where they then allegedly have access to "state secrets" and, as a result, become ineligible for emigration. Grigory Vigkarov, who applied in 1973 to rejoin his parents in Israel, has been denied permission to emigrate on those grounds although he served in the army over 14 years ago. Those who refuse induction into the army are liable for prosecution on charges of draft-evasion. In March 1982, nineteen-year-old Aleksandr Ankhalt, an ethnic German, received a two-year sentence for such refusal.

The most serious form of retaliatory action taken against emigration applicants continues to be arrest and imprisonment. In 1981, more Soviet Jewish emigration activists were arrested on charges ranging from anti-Soviet slander to malicious hooliganism than in the previous five years combined. A total of 13 Soviet Jews are now imprisoned or in exile for emigration-related activities. Another 14 former Soviet Jewish prisoners have still not been allowed to emigrate. The possibility that the fate of Anatoly Shcharansky, Vladimir Slepak, Vladimir Kislik or Viktor Brailovsky -- all of whom are serving sentences in prison, labor camp or exile -- might befall a would-be emigrant certainly must deter many from applying to emigrate or even from becoming active in the emigration movement.

Such a fate is not restricted to Jews. Vasily Barats, the leader of the unofficial Committee for Emigration, a group which supports Pentecostals seeking to leave the Soviet Union, was arrested in August 1982 and is now reportedly in labor camp in southern Russia. In a show trial in the Kirghiz capital of Frunze in May 1982, two Soviet Germans, Aleksandr Till and Valdemar Raizer, who had repeatedly applied to rejoin relatives in West Germany, were accused of anti-Soviet slander and sentenced to two and one-half years and two years, respectively, in labor camp.

At the same time as it refuses permission to those who wish to emigrate, the Soviet government continues to use forced emigration as a method to get rid of dissenters. In recent years, the Soviets have forced a number of Soviet citizens to emigrate from the USSR by threatening them and their families with arrest and imprisonment. In the summer of 1982, five members of the unofficial peace group, the "Group to Establish Trust Between the USSR and the USA," were pressured to emigrate under the implied threat of criminal prosecution. Faced with this choice, the five -- Vladimir and Maria Fleishgakker, Mikhail and Ludmilla Ostrovosky, and Mark Reiterman -- decided to emigrate.

Family Visits, Travel and Tourism

The number of American visas issued to Soviet citizens for private visits to the United States, including family visits, reached a high in 1979 of 2,283, but dropped in 1980 to 1,320. However, the figure rose slightly in 1981 to 1,650 and declined again in the first five months of 1982 to only 565. Many family visit requests -- including most of the cases cited in the Commission's 1980 implementation report -- remain unresolved. The Soviets continue to refuse visit requests for the families of defectors and always require at least one member of the family to stay in the USSR to ensure the traveler's return.

American tourism to the Soviet Union appears to be up slightly from the post-Afghanistan low of 1980. According to Soviet officials, more than 20,000 Americans were issued Soviet tourist visas in 1981 and tourist industry sources indicate that the rate for 1982 is about 20% above that level.

On June 24, 1981 the Supreme Soviet approved legislation which may further negatively affect Soviet compliance with the human contacts provisions of the Final Act. The "Law on the Status of Foreign Citizens in the USSR" was billed as a codification of "the tangle of rules and practices that were used to control foreigners resident in or visiting the Soviet Union in the past."[20] While subjecting foreigners to the same treatment as Soviet citizens, the new law also contains provisions that serve as legal justification to further control and restrict the movement, residence, activities and contacts of foreigners.

Recently, reports of harassment of American tourists by customs and passport officials at the airport as well as incidents of physical beatings by officials and others have increased. Most of these instances of mistreatment appear to be designed to discourage contacts with foreigners and to intimidate tourists to refrain from visiting with dissidents or refuseniks. Congressman John Porter of Illinois traveled to the Soviet Union in September 1981 and visited with Soviet Jewish activists in several cities. The leaders of his group, all of whom were private American citizens, were threatened by KGB agents and his wife, Katherine, was forcibly strip-searched at the Leningrad airport. An American who visited the Soviet Union in June 1982, was detained and interrogated by Kiev police about his contacts with Soviet Jews. He was told that the term "refusenik" meant that they were refused permission to meet with foreigners.

Pressure on those Soviet citizens who do not meet with foreigners has also been stepped up. In October 1982, three Soviet Jewish refusenik women -- Judith Ratner, Elena Mai and Elena Dubyanskaya -- were reprimanded by Soviet authorities for their "impermissible" contacts with foreigners and threatened with deprivation of their Moscow residence permits. A month earlier, the dean of the Jewish refusenik community, Dr. Aleksandr Lerner, announced that he was being forced to break off all contacts with foreigners -- tourists, journalists and diplomats -- because of threatened reprisals against him. Lerner, whose apartment in Moscow had been a gathering place for visiting dignitaries and journalists to meet Soviet Jews, has been trying to emigrate to Israel, where his daughter lives, for eleven years. The 69-year-old Lerner, a distinguished scientist who has been deprived of the possibility to work in his field since 1971, and who now lives with his refusenik son since his wife's death last year, has also been repeatedly denied permission to travel abroad to attend scientific conferences.

One of the most recent and flagrant examples of Soviet non-compliance with the Final Act provisions dealing with travel for personal or professional reasons is the visa denial of mathmatician Vladimir Arnold who was awarded the prestigious Craaford Award. Conferred in Sweden by King Carl XVI Gustav, the prize is considered the equivalent of a Nobel Prize. According to the American co-winner of the award, Arnold, who is Jewish, has been denied permission to travel abroad for at least ten years, although he is not active in any dissident activities.

Religious Contacts

Limited contacts among official religious organizations in the Soviet Union and their counterparts in the West have taken place since 1980. The National Council of Churches, for example, which first exchanged delegations with Soviet churches in 1956, meets about once a year with Soviet church leaders, normally after the central committee meetings of the World Council of Churches. A visit by American evangelist Billy Graham to Moscow in May 1982, generated intense controversy. Dr. Graham visited the USSR as an observer to the "World Conference of Religious Workers for Saving the Sacred Gift of Life from Nuclear Catastrophe," held under the auspices of the Russian Orthodox Church. Some 590 participants from 90 countries, including about two dozen Christian leaders from the United States, took part in the conference. According to some American participants the conference -- and similar meetings -- are useful in "trying to build people-to-people bridges." While admitting that the "Soviet government is certainly seeking to use the church," one American Protestant leader said that "the more effective the (Soviet) church is in making contacts externally, the more independence it has internally."[21]

Curtailment of International Telephone Service

Since the autumn of 1981, there has been a concerted campaign by the Soviet government to impede telephone communications between its citizens and the West, in direct contravention of the spirit of the Final Act calling for greater East-West contact and communications. Direct dialing to the West had been established for certain telephone exchanges in five Soviet cities for the 1980 Olympics: Moscow, Leningrad, Tallinn, Kiev and Minsk. The latter four cities lost their direct-dialing capabilities in the fall of 1981. In late June 1982, the Soviet government announced significant reductions in the number of telephone lines between the Soviet Union and Western Europe and North America. For instance: Austria was to retain eight or nine lines of an original 42, Great Britian -- 14 of 42. In addition, there was announced, "for technical reasons," the elimination of direct-dialing from the USSR in mid-July 1982 and direct dialing to that country in early September 1982. Between the U.S. and USSR, an original total of 23 lines -- 20 direct dial, and three operator-assisted -- has been reduced to 19, all requiring operator assistance and incurring delays ranging up to seven days to get through.

Furthermore, numerous sources in the West have reported that calls to the Soviet Union frequently ring as if no one were home, while the operator assures the caller that "no one answers." This has occurred when the caller is certain that someone would be home to answer the call, i.e., around midnight Moscow or Leningrad time, or when previous arrangements have been made to receive the call.

BULGARIA

Reunification of Families, Binational Marriages

Laws and Regulations

Bulgaria's record in implementing the Final Act's Basket III provisions on human contacts remains static with significant improvement still needed in several areas. The laws and regulations governing emigration practices in Bulgaria have not been significantly altered since the issuance of the last implementation report in August 1980. Emigration is provided for by law, although the 1977 Constitution does not deal directly with the question. In any case, permission to emigrate is rarely granted by the authorities. In order to leave Bulgaria on a permanent basis, the ordinary Bulgarian must be released from Bulgarian citizenship, fulfill several obligations to the state and local authorities and acquire a number of documents, including an emigration passport and an exit visa.

Procedures and Penalties

Bulgaria's practices in granting exit and entry permits remain substantially the same as they have been since the signing of the Final Act. The application process is still complex and information on the details of that process are still not widely available. Decisions are left to the whims of the authorities who apply restrictive policies, particularly against those who wish to visit or be reunited with relatives in the West who left Bulgaria illegally or those who were politically active in precommunist Bulgaria.

Most prospective emigrants are not subjected to sustained harassment or persecution unless they have engaged in what the authorities consider overt "anti-state" activities. Usually, however, prospective emigrants are denied promotions, new jobs, and educational opportunities, even when there is no intention of approving their applications. The act of seeking to emigrate itself is usually sufficient cause to arouse the wrath of the authorities.

Although the total number of cases is relatively few, Bulgaria's record in resolving family reunification cases continues to be mixed. During the year from April 1981 to May 1982, the U.S. Embassy in Sofia granted 31 visas for the purpose of family reunification. However, from June 1981 to June 1982, only two problem cases involving relatives in the U.S. have been resolved and several new ones have been added. As of April 30, 1982, the official U.S. list of divided family cases included 6 families with a total of 33 individuals. While these figures are lower than they have been in previous years, particularly before 1978, the list includes several "problem" cases which have been pending for a long time. During the summer of 1981, Bulgaria proclaimed a desire to promote family reunification as part of its celebration of the 1300th anniversary of the Bulgarian state by announcing an amnesty for exiles who return to Bulgaria before January 1, 1984. This clearly limited step obviously did not benefit Bulgarians who wanted to be reunited with their families abroad.

One of the cases resolved in 1979 involved the family of writer Atanas Slavov residing in the United States. When his wife and children were given exit permits in June 1979, he was assured that his personal archives would also be sent to him and no legal action taken against him. Despite these assurances, Slavov's library remains in Bulgaria and he has been sentenced in absentia to 9 years in prison for working for "foreign broadcast services."

Following expressions of concern by several Congressmen and interventions by the U.S. delegation to the Madrid CSCE Review Meeting in May 1982, the Bulgarian authorities permitted the reunification of the children of Mr. and Mrs. Michael Kerbal with their parents in the United States.

Family Visits

The Bulgarian record on travel for temporary family visits has also been mixed. In the last few years some progress has been discernible in this area but the problem has not yet been eliminated. As of June 1982, the U.S. Embassy in Sofia had 11 cases on its family visitation list of Bulgarians waiting to visit relatives in the United States.

During the year from April 1981 to May 1982, the U.S. Embassy in Sofia granted 220 visas for family visits. At the same time, Bulgaria has continued its liberal policy of permitting U.S. citizens to visit their families in Bulgaria. In the past year, there have been no reported denials of visas to U.S. citizens seeking to travel to Bulgaria for family meetings. Furthermore, there continues to be no unresolved binational marriage cases involving U.S. and Bulgarian citizens.

Tourist and Official Travel

Bulgaria continues its efforts to ease restrictions on the entry of foreign officials and tourists. In August 1981, Bulgaria and the U.S. agreed to facilitate the granting of official visas by reducing issuance time. They also reduced fees in many categories of non-immigrant visas.

In the past three years, the number of Bulgarians travelling to the U.S. has increased markedly, although increases in private tourism by Bulgarian citizens have not been so dramatic. Private visits to all Western countries are severly restricted and controlled. Even a visit of more than a month to another Warsaw Pact country requires a special invitation from that country and entails special currency restrictions.

REUNIFICATION OF FAMILIES, BINATIONAL MARRIAGE

Laws and Regulations

In Romania, as in other Warsaw Pact countries, passport and visa laws and regulations are designed primarily to provide the state with the means to restrict the movement of its people. By contrast, the provisions of the Helsinki Final Act are designed to facilitate and encourage the international movement of people. Freedom of emigration as a fundamental right is also inherent in the Final Act by reference to United Nations documents. Eight years after the signing of the Final Act, the Socialist Republic of Romania has yet to bring its laws, regulations and practices into substantial conformity with the letter and spirit of the solemn commitments undertaken in this document.

Romanian citizens who arbitrarily are denied permission to emigrate often appeal on the basis of precisely those documents -- Official Bulletin #92 of August 13, 1975 and Decree #212 of November 20, 1974 -- which record Romania's adherence to the Final Act and its ratification of the U.N. International Covenants. It is thus apparent that even though Romania has formally incorporated its international humanitarian commitments in domestic law, these commitments are honored more in the breach than the observance.

The arbitrary power of the Romanian Government to issue or deny passports and exit visas at will is codified in the catch-all authority of Article 12 of Decree 156/70 on the Issuance of Passports, which provides "(T)hat the issuance of a passport...may be denied, or the passport withdrawn or annulled when: by going abroad, (a Romanian citizen) could prejudice the interests of the Romanian State or affect the good relationship thereof of other states." The criminal code also provides harsh penalties for violation of the emigration laws. Article 245 of the Criminal Code (1973) provides for imprisonment from 6 months to 3 years for even the attempt to go abroad illegally. Amnesty International has documented a number of cases over the past two years of Romanian citizens, who, having long been thwarted in their efforts to emigrate legally, and having been caught attempting to emigrate without authorization, have been tried and sentenced under Article 245.

The same restrictive attitude applies in the case of binational marriages. Article 134 of the Romanian Civil Code, the key provision in this area, is aimed at discouraging, rather than facilitating such marriages because they are usually followed by a request for emigration permission for the Romanian spouse. To forestall such a possibility, Article 134 stipulates that a Romanian citizen cannot marry a foreigner without the permission of the Council of State of the Grand National Assembly (the Romanian Parliament). In effect, this means that each binational marriage request must be approved by President Ceausescu himself as the head of the Council of State.

Procedures and Practices

Despite its commitments under the Helsinki Final Act, Romania has made no apparent effort to date to ease its tortuously complicated exit procedures or to humanize its treatment of would-be emigrants. Instead, Romania has perversely increased, rather than reduced, the number of procedural steps which intending emigrants must take. The exceedingly formidable obstacles facing those who seek exit permission -- whether they be citizens of Romanian, German, Jewish or other ethnic background -- continue to include: (1) the inordinate difficulty in obtaining an application form; (2) the need to appear before special "People's Commissions" made up of Party officials, police authorities, neighbors, employers, and co-workers whose applicants are routinely grilled on their reasons for leaving and are pressured to change their minds; and (3) other deterrents such as job demotion or dismissal (which carries the threat of arrest on "parasitism" charges), eviction from apartments, expulsion from school or university, or in some cases, stigmatization as a "traitor." These latter actions in particular are in clear contravention of the Helsinki Final Act provision that the presentation of an exit application "will not modify the rights and obligations of the applicant or members of his family." Added to all these problems are the delays and uncertainties in receiving final approval and the possibility that all these efforts could come to naught if the one country of destination which the Romanian authorities will approve decides it is unable to receive the prospective emigrant.

Unfortunately, the pattern of official harassment does not end with the issuance of permission to emigrate. Those who finally obtain passports still are subject to loss of their homes, pensions and access to medical services and dismissal from educational institutions or jobs well in advance of their actual departure from the country. The new education repayment decree of October 22, 1982, requiring that emigrants from Romania, unless of pensionable age, repay in convertible currency, the cost of their secondary and higher education or vocational training, stands in flagrant contravention of the Helsinki Final Act provision stipulating that fees charged in connection with family reunification requests shall be moderate. These payments, which are to be made after the emigration request has been approved but before issuance of the passport, can make the cost of emigration prohibitive for those who do not have a prosperous sponsor abroad. It is estimated that emigration could cost a university graduate at least $10,000. Also, from the date the individual receives permission to leave the country, the new decree requires that he or she pay for medical services in hard currency and be made liable for taxes equivalent to those imposed on foreigners living temporarily in Romania.

Approved emigrants must sell all real property at set government rates and are forbidden to take any funds with them out of the country, even though the Helsinki Final Act provides that "(P)ersons whose applications for family reunification are granted may bring with them or ship their household and personal effects." As a final hazard to would-be emigrants, those who are unsuccessful in their emigration efforts face a difficult prospect of reintegration into Romanian society as pariahs and at substantial material sacrifice.

Despite strong official opposition to any kind of emigration, numbers of Romanian citizens, especially people whose departure represents no economic loss to the country, who are persistent and who enjoy influential support in the West, do manage to secure exit permission, although success may take years. In theory at least, if not always in practice, the Romanian Government does acknowledge family reunification as a legitimate reason for emigration and does permit, on the basis of a case by case review, emigration on humanitarian grounds.

Emigration to the United States

Since 1975, emigration of Romanians to the United States has increased six-fold. The U.S. Embassy in Bucharest processed 890 immigrants in 1975, 1,021 in 1976, 1,240 in 1977, 1,175 in 1978, 1,543 in 1979, 2,885 in 1980 and 2,352 in 1981. In 1981, the level of Romanian emigration to the United States reached the optimum number under U.S. immigration procedures in effect that year. Emigration from Romania to the United States at end-year 1982 may be even higher than 1981.

This overall rise in emigration figures appears to be due primarily to Romania's desire for improved trade relations with the United States. In 1975, upon entering into a comprehensive bilateral trade agreement with the United States, Romania became subject to the terms of Section 402 of the Trade Act of 1974, popularly known as the Jackson-Vanik Amendment. Section 402 prohibits the U.S. Government from awarding Most-Favored-Nation (MFN) trading status, extending credits, credit guarantees or investment guarantees to non-market economy countries having restrictive emigration policies. A 12-month waiver of this prohibition may be approved by the President and Congress upon an annual review of Romania's emigration record. Every year since 1975, U.S. authorities have concluded that, on balance, approval of the waiver for Romania was justified despite continuing high concern about the Romanian emigration record and an extremely restrictive human rights policy in other areas as well. Approval has been based to a large extent on the judgment that MFN extension would bring better results than would its denial. Apart from the actual record itself, growing concern has been expressed with respect to the Romanian practice of virtually ignoring emigration requests until just prior to and during the annual MFN review by the Administration and Congress.

Emigration to West Germany

Ethnic German emigration from Romania to the Federal Republic of Germany is also a consequence of improved trade relations among other factors. Bilateral agreements in operation since 1977 have facilitated high rates of emigration. In 1977, 10,990 ethnic Germans emigrated, as compared to previous yearly totals of 3,870 in 1975, and 2,720 in 1976. In 1978, 12,121 emigrants from Romania settled in the Federal Republic, 9,663 in 1979, 15,767 in 1980 and 12,030 in 1981. In the first six months of 1982, 4,897 ethnic Germans arrived in the FRG.

Jewish Emigration

Romania is unique among the Warsaw Pact states in maintaining diplomatic relations with Israel. In the years just after World War II, hundreds of thousands of Romania's Jews were permitted to emigrate. A large family reunification base was thereby created in Israel, confronting the Romanian Government with an additional obligation to facilitate the emigration of many of its remaining Jewish citizens.

The current size of the Romanian Jewish population is a matter for speculation, but a reasonable guess would be at least 32,000 persons, approximately 16,000 in Bucharest and another 16,000 in the provinces. The sharp decline in emigration to Israel in the immediate post-Helsinki years -- from 2,034 in 1976 to 1,334 in 1977 and 1,200 in 1978 -- became a mounting concern to Jewish communities outside Romania. In 1979, in an effort to allay this concern in connection with the Most-Favored-Nation review in the United States, Romania reached a "gentlemen's agreement" with the Conference of Presidents of Major American Jewish Organizations and the American Jewish Committee to improve the situation. This agreement remains in effect, but the improvements to date have not lived up to expectations.

While the continued low rate of Jewish emigration can partially be explained by demographic trends -- an aging and shrinking Jewish population -- in general the Romanian Government's hostile attitude and the existing procedural impediments to emigration are the major contibuting factors. The 1979 gentlemen's agreement established that Romanian Jews wishing to emigrate could, in addition to filing exit requests with the authorities, register on a voluntary basis with the Romanian Federation of Jewish Communities which would provide the registration list to the Conference of Presidents on a regular basis. Unfortunately, there is no indication yet that the exit requests of Jews on the Federation list are processed faster or acted on more favorably than Jews who do not register.

In 1980 and 1981, the yearly level of emigration to Israel has hovered around the disturbingly low figure recorded in 1979 of approximately 1,000. The Israeli Embassy in Bucharest issued 976 visas in 1979, 1,061 in 1980 and 1,012 in 1981. During the first six months of 1982, 420 Romanian Jews arrived in Israel. However, coinciding with the MFN review in the United States and beginning in June, significantly higher monthly arrival figures have been recorded. Should the higher levels be sustained, the end-year figure for Romania-Israel emigration could be considerably greater than the yearly level recorded in the past three years.

Significance of the 1982 MFN Review in the United States

The 1981 MFN review was fairly routine, but the 1982 review took place in an atmosphere of heightened Administration and Congressional concern about Romania's emigration and general human rights record. Expressing continuing United States concern about Romanian emigration performance, including the treatment of those who apply to emigrate, President Reagan observed in his June 2, 1982 message to Congress recommending MFN renewal that the Romanian Government has not improved its emigration procedures, which he called "cumbersome and plagued with obstacles for those who merely wish to obtain emigration application forms." As illustration of "Romania's negativistic emigration policy," the President cited the significant decrease in emigration to Israel and called the then existing sizable backlog of Jewish emigration cases on the list presented by Major American Jewish Organizations contrary to the 1979 gentlemen's agreement. President Reagan said he weighed these humanitarian concerns within the context "of the satisfactory state of overall U.S.-Romania relations" and reached the decision that Romania should receive MFN for another year. Nevertheless, he ended his comments to Congress by saying that "unless a noticeable improvement in its emigration procedures takes place and the rate of Jewish emigration to Israel increases significantly, Romania's MFN renewal for 1983 (Fiscal Year 1984) will be in serious jeopardy."

During hearings before the Subcommittee on Trade of the U.S. House of Representatives and the Subcommittee on International Trade of the U.S. Senate, U.S. Helsinki Commission Chairman Dante B. Fascell and Co-Chairman Robert Dole joined other congressional colleagues in echoing the President's emigration concerns and calling for improvements in Romania's human rights situation. In his testimony, Chairman Fascell stressed that the Helsinki Final Act's goals of facilitating international trade and promoting fundamental human rights and freedoms "are intrinsically linked" and "progress in one area must be accompanied by progress in the other. That is the idea inherent in the Helsinki Accords and such is the thrust of the Jackson-Vanik Amendment." On August 13, Senator Dole, acting in his dual capacity as Co-Chairman of the U.S. Helsinki Commission and as Chairman of the Senate Finance Committee, introduced a "Sense of the Senate" resolution calling upon the U.S. Government to seek credible assurances that Romania will improve its emigration procedures. Further, the resolution expressed the view of the Senate that Romania has continued to violate the human rights and fundamental freedoms of citizens, particularly those belonging to religious groups and national minorities. Lastly, the resolution directs the U.S. Government to pursue these concerns with the Romanian Government in appropriate international fora, including the Conference on Security and Cooperation in Europe. The Dole resolution passed on September 24.

With serious reservations then, Congress ultimately allowed another one-year extension of MFN status for Romania in 1982. This was largely due to the fact that, beginning in June and continuing into August, Romania had shown movement toward the resolution of or had actually resolved a significant number of problematic emigration cases of particular interest to the United States and had taken some other last-minute confidence-building-measures, including agreeing to enter into new discussions respectively with the U.S. Government and representatives of the Conference of Presidents of Major American Jewish Organizations on improving and expediting Romania's emigration procedures, for intending immigrants to the United States and to Israel. In August, the Conference of Presidents began talks with Romanian officials in Washington and continued the discussions in Bucharest in September. Deputy Assistant Secretary of State for Human Rights and Humanitarian Affairs Elliott Abrams engaged in an initial round of talks in Bucharest on October 6-7.

The discussions resulted in Romania's agreement to respond definitively to emigration requests within six to nine months. Romania also promised to cease harassment of prospective emigrants. However, the announcement of the new education tax came on the heels of the Abrams trip and threw Romania's good faith participation in the recently held talks into serious question. On November 9, the day the Madrid meeting reconvened, State Department spokesman John Hughes said: "By imposing this draconian measure (the education tax), beyond the average citizen's ability to pay, the Romanian government appears to be closing the emigration door to most citizens. If that is the case, the Romanian government has gravely jeopardized its ability to retain its Most-Favored-Nation status."

Binational Marriages

The Romanian Government's record on binational marriage remains the worst of all the Helsinki signatory states. Waits of twelve to twenty-four months for marriage approval are common, although most applicants are ultimately successful. Ever since the Department of State began accumulating such statistics, Romania has consistently been reported to have, by far, the largest number of marriage petitions pending for inordinately long periods of time. As of April 30, 1982, State Department figures show 60 such binational marriage cases for Romania as compared to 22 for the Soviet Union, seven each for the German Democratic Republic and Poland and none for Bulgaria, Czechoslovakia or Hungary.

Procedures and Practices

Like intending emigrants, ordinary Romanian citizens who wish to travel abroad face a daunting array of procedural obstacles. Success in obtaining travel permission comes only after months and even years of persistent effort and in many cases only thanks to Western intercession. Refusals of foreign travel requests remain capricious and arbitrary. Only those favored by excellent Communist Party connections can expect to obtain tourist passports with a minimum of difficulty. Those lucky enough to receive travel authorization usually must leave close family members behind as hostages. The number of non-immigrant visas issued to Romanian citizens by the U.S. Embassy in Bucharest has averaged approximately 2,500 for the last two years, the majority for family visit purposes. The Romanian Government has, on a case by case basis, granted traveller's visas expeditiously in family emergencies.

For Westerners visiting Romania, travel is encouraged as a source of hard currency. Entry visas may be obtained easily in advance. Entry permission even without visas is almost always granted upon arrival at no cost to the foreigner. Relatives of Romanian citizens are exempt from the usual requirements of having to lodge at government-run facilities and having to change the equivalent of ten dollars into local currency per day of stay. There is no restriction of movement for travellers within Romania, but interaction with the populace is limited by the fact that Romanian citizens can suffer harassment and legal action for unauthorized association with foreigners.

RELIGIOUS CONTACTS

The fourteen officially-recognized religious denominations are permitted to maintain contacts with co-religionists abroad as one of the perquisites accorded religious groups which accept tight government control over their institutional affairs. As described in greater detail elsewhere in this report, Westerners who travel to Romania and associate with unrecognized religious groups or with dissenting factions of recognized denominations have been subjected to constant surveillance and, in some cases, summary deportation.

CZECHOSLOVAKIA

Reunification of Families, Binational Marriages

Procedures and Practices

Czechoslovak laws and regulations governing travel and emigration to the West have remained basically the same since the signing of the Final Act in 1975. Emigration procedures continue to be cumbersome and slow, and result in frequent refusals and delays.

The previous Commission implementation report (1980) noted that Czechoslovakia had made steady progress in implementing the human contacts provisions of the Final Act, having fewer and fewer unresolved family reunification cases with the U.S. and other Western countries.

However, obtaining permission to emigrate is still a protracted, difficult process taking at least three months and in many cases six months or longer. Experience has been that immediate family cases are usually resolved quickly while cases involving more distant relations are more difficult and often require prodding from the relatives abroad. From April 1981 until May 1982, the U.S. Embassy in Prague issued 65 immigrant visas for purposes of family reunification. As of April 30, 1982, there was only one divided family case involving one person on the Department of State's list of unresolved immediate family reunification cases. There were six other cases involving 19 individuals who were not immediate family members. While this relatively small number of remaining unresolved cases represents an improvement over previous years, new cases crop up regularly. Antonin Nehyba and his wife and Maria Sukopcakova and her husband have been unsuccessful thus far in securing permission for their young children to be reunited with them in the United States.

Occasionally visa applicants seeking reunification with their families are subject to harassment including demotion or loss of employment. However, their form of persecution does not follow any discernible pattern nor is it as widespread as in the Soviet Union. Czechoslovakia also continues to deny the right of repatriation to those emigrants it does not wish to return, usually prominent dissidents stripped unwillingly of their citizenship. Emigration passports are not valid for return to Czechoslovakia without special endorsement. Furthermore, the authorities continue to routinely refuse exit permits to relatives of persons engaged in activities considered critical of the government.

As far as visa regulations and procedures are concerned, little has changed since the Commission's previous report. The existing restrictions and requirements are clearly contrary to the spirit and letter of the Helsinki Accords. All citizens wishing to emigrate still must sign a "Renunciation Statement" leaving all their property to the state and waiving all claims against the state including pensions. Visa fees, including reimbursement to the state of educational expenses and restrictions on the amount of hard currency that may be taken abroad even for visits make it extremely difficult for most Czechoslovak citizens to either emigrate or travel abroad. Fees for emigration can still range up to several thousand dollars, depending on the educational level of the prospective emigrant.

There are no current active binational marriage cases involving United States and Czechoslovakia. The last one was resolved at the end of 1981.

Family Visits

Czechoslovakia has a mixed record in the granting of permission for temporary travel for family visits. Although, the authorities appear more willing to permit elderly or retired people to visit relatives in the U.S., most Czechoslovak citizens have considerably more difficulty. From April 1981 until May 1982 the U.S. Embassy in Prague issued approximately 3,120 visas for family visits. According to the Department of State, U.S. citizens wanting to visit relatives in Czechoslovakia, including former Czechoslovak citizens who left the country illegally and subsequently became U.S. citizens, have usually not had problems in obtaining visas (provided they have obtained documentation of their loss of Czechoslovak citizenship from the Czechoslovak Embassy in Washington). Within the past year, however, there have been more visa refusals in this category than in previous years. The reason for this is that visa regulations applicable to those who departed Czechoslovakia illegally are being strictly enforced. Czechoslovakia has also continued to refuse entry visas to persons it claims have been involved in "anti-Czechoslovak" or anti-socialist activity abroad.

Travel and Tourism

Czechoslovakia continues to place restrictions on foreign travel for its citizens. Opportunities to travel to the West are not available to most citizens and those who do obtain permission usually must leave behind members of their families to ensure their return. Until recently, in theory Czechoslovak citizens were allowed to travel abroad at least once every three to five years. Priority now, according to the authorities wil be given to those who have never been out of the country before. According to official statistics, Czechoslovak citizens are extremely well-traveled indeed, at least to other socialist countries. In 1981, 9,244,772 Czechoslovaks (out of a population of approximately 15 million) traveled abroad as tourists, a 10% drop from 1980. Of these, 8,743,842 visited "socialist" countries, while only 500,930 traveled elsewhere. However, according to Western estimates, in 1981 250,000 Czechoslovaks applied for passports for Western visits but only 20% received them.

Recent restrictions have curtailed the ability of Czechoslovak citizens to travel to Poland, Hungary and Yugoslavia. For Poland, an invitation is now required, and for Hungary, Czechoslovak tourists can now convert their money to Hungarian forints only at official Czechoslovak exchange offices since Hungarian currency is now semi-convertible. For Yugoslavia, as of January 1, 1982, a new specially-designed "grey" passport, which places travel to Yugoslavia in a special category, is now required. The passport permits passage to Yugoslavia only through neighboring "socialist" states and is valid only for Yugoslavia. By this new procedure the authorities are hoping to eliminate an escape route for Czechoslovak citizens seeking to flee to the West, but indications are that this new system has been unsuccessful in stemming the tide of escapes.

Other restrictions on travel have been imposed as well. Fees for passport applications, and the passports themselves, have been raised. Foreign currency allocations for Czechoslovaks traveling abroad have been reduced to the barest minimum. While Czechoslovaks can still travel to other Warsaw Pact countries with "internal identity cards" instead of passports, now they must also have an exit permit, a customs declaration and a border identification document showing the destination and duration of the trip.

GERMAN DEMOCRATIC REPUBLIC

Family Reunification

Laws and Regulations

The stark physical reality of the Berlin Wall and militarized zone dividing the German Democratic Republic (GDR) from the Federal Republic of Germany (FRG) symbolizes the negative GDR attitude towards the free movement of people and reunification of families. The vast investment of resources required to maintain this artificial barrier shows clearly the East German determination to restrict the movement of its citizens. The 857-mile fortified zone contains over one million land mines, some 34,800 self-firing machine guns, about 1,000 watch dogs, all manned by an enormous border patrol.

Indeed, during the official East German commemoration of the twentieth anniversary of the construction of the Berlin Wall, it became clear that the GDR sees the Wall as the literal foundation of the state. In a flood of GDR press items preceding the official celebrations on August 13, 1981, the Wall was credited with having secured the GDR's sovereign rights, assuring its equal status in the socialist community, and also playing an important role in preserving peace and even initiating detente in Europe.

Other press coverage (Neues Deutschland, August 6, 1981) also claimed that the Wall had foiled an imminent invasion of the GDR by West Germany and NATO and that the act of building the Wall is a tribute both to the Great Socialist Revolution and to the role of its heroic leader, Erich Honecker. The "August Days," (according to Einheit No. 8, 1981) -- referring to the August 1, 1975 signing of the Final Act -- allegedly safeguarded such international principles as "the inviolability of borders, sovereign equality, non-interference in the affairs of other states and the normalization of relations between both German states on the basis of international law."

Whatever the official justification for the Berlin Wall, it is undeniable that it has succeeded in stanching the hemorrhage of people out of East Germany, thereby shoring up the state. Until the Wall was built in 1961, almost four million people had fled the GDR for the Federal Republic of Germany. After the Wall was built, there was a drastic reduction in the exodus of people from the GDR: in 1980 and 1981, only 112 East Germans managed to flee.

According to Paragraph 13, "Departure from the GDR," of the GDR Passport Law of June 28, 1979, East Germans may legally leave their country under the following circumstances:

a) business trips sponsored by the Interior Ministry, the Foreign Affairs Ministry or the appropriate department of the People's Police;
b) private trips approved by the Interior Ministry or departments of the People's Police;
c) tourist trips autnorized by those institutions sponsoring the trips, the Interior Ministry and departments of the People's Police.

Paragraph 17 of the Passport Law goes directly counter to the spirit of Final Act pledges "to facilitate freer movement and contacts, individually and collectively...," by decreeing that "decisions on application for exit, entry or transit travel do not require explanations."

The Passport Law (Paragraph 23, "Penal Laws") also provides for criminal penalties in case of the following violations:

1) Those who intentionally or by negligence
   a) disregard regulations on entry and exits, temporary stays in the GDR or stays in a foreign country;
   b) violate regulations on prescribed travel routes or travel deadlines or other stipulations;
   c) violate the regulations in Paragraph 11 by changing, adding or making other records in passports, other personal documents, visas or authorizations equaling the status of a visa;
   d) do not report the loss or the locations of the same passports, other personal documents visas or visa substitutes;
   e) do not immediately report discovered passports, other personal documents, visas or visa substitutes to the issuing department or institution of the GDR, the German People's Police or other authorized institution of the GDR, the German People's Police or other authorized agencies, may be extradited or punished with a 10 - 500 DM fine.

The GDR penal law also provides stiff penalties for infringements of the passport law -- a state of affairs which is counter to the Helsinki spirit of facilitating international travel and contacts.

1) Those persons illegally crossing the GDR borders, violating regulations on remaining temporarily in the GDR as well as transit traffic, will be penalized with two to five years imprisonment or imposition of a fine.
2) Those persons not returning to the GDR from abroad by the prescribed deadlines or violating other foreign travel stipulations, are subject to prosecution.

It is, however, the laws and regulations governing the border which most graphically reveal the repressive intent of the GDR authorities. In section IV, "Powers of the GDR Border Troops" of the March 1982 "Law on the GDR State Border," the border troops are given "the right to enter land, dwellings, other premises, or vehicles in order to eliminate conditions which endanger...the security and order in the border region..." (Paragraph 21), to "eliminate dangers and disturbances" (Paragraph 22), and to apprehend anyone who cannot furnish the proper identification (Paragraph 23). In addition, border guards are given authority for search, seizure, and temporary custody for up to 24 hours (Paragraphs 24, 25).

Elsewhere in this law on state borders, authorization is provided for shooting or use of other violent means to prevent illegal border crossings. Paragraph 27 of the law is devoted entirely to the "Use of Firearms" in preventing GDR citizens from leaving the country -- hardly a demonstration of the GDR's commitment to its humanitarian obligations under the Final Act.

From August 1, 1980 until June 30, 1982, eight people were killed or wounded by the GDR border guards as they were trying to cross the border. During the same period, there were 64 shooting incidents at the border and 36 incidents in which the East German guards violated FRG territory while in "hot pursuit" of fleeing people. It is important to note that the FRG border units are under strict instructions not to hinder anyone who wishes to leave West Germany -- even so there were three incidents when people crossing from FRG to the GDR were killed by the East German border patrols -- and to shoot only in self defense.

Both before and after the passage of the 1982 border laws, the East German authorities have not hesitated to use maximum force to deter would-be emigrants. On November 27, 1980, guards killed an 18-year-old woman, Marienetta Jirkowski, as she tried to enter West Berlin with two companions. On December 27, 1981, a young East German man was reportedly killed by machine pistol shots as he tried to climb the Wall.

Another recent tragic incident shows that the East German paranoia about their border is not restricted to GDR citizens alone. Neues Deutschland, the main GDR newspaper, on June 7, 1982, reported that a West German citizen, Lothar Freier, who was without identification papers, had been arrested June 4 for "violating the GDR state border." Typically, however, the paper did not report that Freier had died a few hours after being shot on June 4, 1982 by East German border guards.

Surprisingly, however, the formidable combination of physical and legal barriers to emigration has not deterred thousands of GDR citizens from attempting to escape to the West. Of an estimated 5,000 political prisoners in the GDR, the vast majority are imprisoned for this "crime."

In 1979, the FRG made public a little-known aspect of its relations with the GDR by acknowledging that since 1962, it had "bought" the freedom of about 16,000 GDR prisoners, most of whom had been arrested for attempting to emigrate. From August 1, 1980 until March 31, 1982, the FRG Government has paid to gain the release from GDR prisons -- and subsequent emigration -- of 2,687 people. This system of paying for human freedom adds considerably to the hard currency reserves of East Germany.

Another way to leave the GDR is to be forced to emigrate for being an irritant to the state. One such incident occurred in January 1981 when two dissident authors, Frank-Wolf Matthies and Lutz Rathenau, who had been arrested in November 1980, were told to leave the country. Matthies and his family now live in West Berlin. Lutz Rathenau, however, chose to remain in the GDR and possibly face future difficulties with the authorities.

The ordinary working-age GDR citizen, however, has a very difficult time leaving the country to join relatives in the West. Most applicants for emigration face lengthy and onerous procedures. Some are called for interviews with Party or police officials and are pressured to give up their emigration attempts. Other forms of harassment include loss of jobs or educational discrimination. From August 1, 1980 until June 30, 1982, 20,372 GDR citizens were permitted to resettle in the FRG.

While the picture is bleak for GDR citizens who wish to rejoin their families in the FRG, the situation is better for the small number who have families in the United States. For such divided families, the processing of exit applications varies from an average of four to six months up to a year. From June 1, 1980 until April 30, 1982, the U.S. Embassy in East Berlin issued 68 visas to GDR citizens who had been granted exit permission to the United States for purposes of family reunification.

FAMILY VISITS

Laws and Regulations

In October 1980, the East German authorities issued two new regulations which further limited its citizens' contacts with two neighboring Helsinki signatory states, the Federal Republic of Germany and Poland. In what was announced as a temporary measure in response to the uncertain Polish situation, the GDR government ended nine years of visa-free travel between the GDR and Poland. As of October 28, 1980, GDR citizens are required to have officially-certified invitations from friends or relatives in Poland in order to cross the border. Once such an invitation is in hand, application must be made for travel permits at local GDR police stations. In 1979, the last year of visa-free travel, 3.5 million people from the GDR visited Poland.

Also in October 1980, the GDR announced new regulations on visa fees for visitors to the GDR. The official decree, announced on October 9, 1980, dramatically raised visa and associated fees for Western travelers with an increase in the daily minimum currency conversion requirement from the equivalent of 13 FRG marks ($7.20) to 25 FRG marks ($13.90). Such arbitrary and politically-motivated actions constitute a clear impediment to the goal of freedom of movement proclaimed in the Helsinki Final Act.

The currency decree also abolished a special low level of exchange for thousands of daily visitors to East Berlin, raising the previous daily minimum from 6.5 GDR marks to 25 marks ($10.90). Furthermore, special exemptions for children and pensioners were abolished. In the year before the new higher visa fees were introduced, four million FRG citizens and three million West Berliners visited the GDR. This measure has reduced by 25 percent the number of West German visitors to East Germany and cut by almost 50 percent the number of West Berlin visitors, since many pensioners and children simply could not afford the new fees. Thus, from August 1, 1980 to June 30, 1982, there was a total of 4,250,530 visitors from West Berlin and the FRG to East Germany.

On March 17, 1982, the GDR published new guidelines setting forth new conditions of eligibility to apply for permission to visit family members in the West. Pensioners and non-pensioners can apply to visit a close relative under the following circumstances: death or life-threatening illness, marriage, birth, or 25th, 50th, 60th, 65th, or 70th wedding anniversaries. Non-pensioners are now eligible to apply to visit a close relative abroad under the following circumstances: confirmations, first Holy Communions, and 60th, 65th, 70th, 75th and any further birthdays. The potential traveler must prove family relationship and purpose of travel by presenting the appropriate documents.

In the past, delays in the processing of such family visit requests were often so lengthy that the purpose for the visit was often negated by death or other circumstances. The new regulations have increased by 14 percent the number of working-age East Germans (24,600) allowed out in the first seven months of 1982. It should be noted, however, that it is hardly in the spirit of the Final Act to codify occasions for which the state will grant a person permission to visit relatives abroad.

Practice and Procedures

The vast majority of GDR citizens who wish to go abroad want to visit the FRG. From August 1, 1980 until June 30, 1982, 2,990,951 GDR pensioners were allowed to visit West Germany. An additional 73,996 East Germans went to the FRG for emergency family visits.

In the case of American citizens who wish to visit relatives in the GDR, visas are granted routinely, although the application process is somewhat cumbersome, with at least six weeks required for processing of documents. In a few cases, however, visas are refused with no reasons given.

If a GDR citizen has reached retirement age, application to visit relatives in the United States is usually granted. Younger people are usually allowed to visit the U.S. for major family events, although sometimes emergency travel is so long delayed by the GDR authorities that the reason for travel no longer exists. From June 1, 1980 until November 30, 1981, the U.S. Embassy in East Berlin granted visitors visas to 1,938 GDR citizens, the vast majority of whom were pensioners.

BINATIONAL MARRIAGES

Paragraph 18 of the GDR Personal Status Law of December 4, 1981 asserts the power of the state in binational marriages:

> Marriages taking place between citizens of the GDR and foreigners require the submission of proof showing that the marriage does not violate the laws of the foreign country involved. Applicants are advised that (such) marriages...require the approval of the appropriate state agencies of the GDR.

This provision of the GDR law which, in effect, gives GDR state organizations veto power over such personal decisions as binational marriages is contrary to the spirit of the Final Act.

Nevertheless, the East German record on binational marriages with United States citizens has been generally good since 1975. However, comparison of the June 1, 1980 to November 30, 1980 period (when there were no unresolved binational marriage cases) with the December 1, 1981 to May 31, 1982 period (when there was a total of seven such unresolved cases) reflects an unfortunate negative trend. As a general rule, in about half of the GDR-U.S. binational marriage cases, the GDR citizen is permitted to leave the GDR for the purpose of marriage. In the other U.S.-GDR binational marriage cases, the weddings are performed inside the GDR and later emigration requests are usually resolved quite quickly.

TRAVEL FOR PERSONAL AND PROFESSIONAL REASONS

The closing of the Polish-GDR border to essentially all but official travelers, personal and professional travel to Poland for GDR citizens has all but eliminated such travel. At the same time, the GDR government maintains a policy of even tighter control over its citizens who wish to travel to the West for personal or professional reasons.

Recently, the GDR authorities went to the extreme of denying entry permission to Bernhard Vogel, Premier of the Rhineland-Palatinate in the FRG. Vogel, who has been making annual trips to the GDR since 1977 and had wanted to visit Thuringia and Weimar on the 150th anniversary of Goethe's death, was informed on July 21, 1982 that he would not be allowed to enter East Germany, despite protests by the FRG government.

RELIGIOUS CONTACTS AND INFORMATION

In general, the GDR has a good record of permitting international contacts between members of the same religious faith. There has been, in particular, a recent strengthening of contacts and cooperative undertakings between the East and West German Lutheran Evangelical Churches. In October 1980, however, a high GDR Party official warned the Lutheran Evangelical Church to break off increasing, although still limited, cooperation with the Lutheran Evangelical Church of West Germany. Further, on November 3, 1980, in a reversal of previous policy, two representatives of the GDR Lutheran Evangelical Church were denied permission to attend a synod of the FRG Lutheran Evangelical Church.

HUNGARY

Reunification of Families and Family Visits

Hungarian emigration law affecting the reunification of families and family visits continues to be restrictive, although in actual practice the Hungarian record is relatively good. Currently aproximately 120 emigrant visas are issued each year while about six are refused.

Problem cases that do arise involving U.S. citizens and Hungarian nationals are handled in a constructive manner by Hungarian officials both in Washington and Budapest. There are currently only three cases pending on the State Department's representation list, but they have gone unresolved for the last two to five years. Experience shows that the Hungarian law restricting emigration for individuals under the age of fifty-five is often used as the reason for denying emigration in difficult cases.

In several instances, the Hungarian authorities have granted permission for individuals to join immediate relatives considered "illegally" abroad under Hungarian law, without representation from the U.S. Embassy. However, in other cases, the authorities continue to restrict the reunification of families under this provision.

The three outstanding cases involving family reunification with relatives in the United States show the intransigence of the Hungarian authorities in certain instances. One family has been denied permission to emigrate for almost five years, ostensibly because of the age limitation, and has been refused a visit to relatives in the U.S. on the vague grounds that it would be "harmful to the public order." Another family has not only been denied emigration permission because of the age restriction, but was denied even the opportunity to visit the ailing father prior to his death. In the case of the third family, a child of 13 has not been permitted to join his father, his only living parent, in the United States because the father left Hungary illegally 12 years ago.

U.S. citizens wishing to visit relatives in Hungary are usually issued visas without difficulty. However, when visas are denied, no reason is given.

According to the State Department, a Hungarian national usually may not visit a person who has remained abroad under circumstances considered illegal under Hungarian law until five years have elapsed. Additionally, exit permission may be denied if the potential visitor is responsible for a close relative having remained abroad illegally. Refusal cases often involve academicians who publish what Hungarian authorities may regard as anti-government writings.

Religious Contacts

Religious contacts continue to bring leaders of the various faiths practicing in Hungary together with their Western colleagues. The most effectve and meaningful contacts remain the private visits of religious lay persons and clerics. In the latter part of 1980, Rabbi Moses Teitelbaum from New York City headed a delegation to Hungary. Cardinal Casaroli, Vatican Secretary of State, visited Budapest to celebrate the millenium of the Hungarian Saint Gilbert. Hungarian Primate Laszlo Cardinal Lekai headed a delegation of 350 Hungarian Catholics to the Vatican to dedicate a Hungarian chapel in St. Peter's Basilica. In 1981, the Reverend Billy Graham visited Hungary and called on leaders of various religious denominations, including Cardinal Lekai. Graham met with both government and party officials and received an honorary degree from Debrecen University. Jack Spitzer, President of B'nai B'rith, visited Hungary in the spring and met with Imre Miklos, head of the State Office for Church Affairs.

Travel and Tourism

In the last two years Hungary has instituted some liberalizing changes in its travel restrictions. Hungarian citizens may now visit Western countries at least once a year. On the surface it appears that the purchase of a greater amount of foreign currency is permitted for traveling abroad. However, because of the change in the exchange rate from 31 to 35 forints to the dollar, it appears travelers will only be able to purchase an additional $30 in hard currency. At a rate of $300 per month, hard currency needs are still limited. The numbers of Hungarians travelling to the United States at their own expense continues to increase. It is estimated that over 400,000 Hungarian visit the West annually.

Hungarian authorities have also recently extended the validity of passports for travel to Eastern European countries from two to five years and eliminated special permit or visa requirements.

Hungary continues to promote tourism actively and has been working steadily to improve both the quantity and quality of accomodations for foreign visitors. In addition to building new hotels, small private entities have been allowed to flourish in support of tourist trade. Privately-run restaurants and boarding houses have helped alleviate the limited number of rooms available during the height of the season.

POLAND

Reunification of Families, Binational Marriages

Introduction

Poland's record of compliance with the Final Act's Human Contacts provisions continues to be mixed. Poland has never recognized the right of its citizens to freely leave or return to the country, as provided under Article 13 (2) of the Universal Declaration of Human Rights and reaffirmed by reference to the Declaration under Principle VII of the Final Act, but the principle of family reunification is acknowledged by the Polish Government as a legitimate reason for emigrating. Poland's passport laws are restrictive and the penal code prescribes penalties, including imprisonment up to five years, for persons who leave Poland illegally, i.e. without a passport. During the renewal period (August 1980 until the imposition of martial law in December 1981), there was a significant relaxation in the application of passport restrictions resulting in record numbers of Poles being permitted to travel abroad for personal, family or professional reasons.

Since the crackdown, foreign travel, except for family reunification, has been severely curtailed. Still, the number of unresolved divided family cases for Poland remains numerically the highest among the Warsaw Pact states. This is in part a reflection of the large Polish populations in Western countries, particularly the United States and the Federal Republic of Germany. But it is also an indication that Poland's record of compliance has consistently fallen well short of Final Act commitments to "deal in a positive and humanitarian spirit" and "as expeditiously as possible" with applications for family reunification. Poland's compliance record in the area of binational marriages continues to be good. The large number of family reunification cases and the rate of their resolution did not vary significantly between the renewal and martial law periods.

Laws and Practices

According to the U.S. Embassy in Warsaw, the most common grounds for refusal of an exit visa request by Polish authorities is the phrase, "important state considerations."[22]

Denial of a passport on these nebulous grounds does not legally require further justification. For officials denying a passport request, "it shall be sufficient to refer to the legal basis for the refusal."[23] Furthermore, citizens residing abroad may be divested of citizenship involuntarily if they "...act against the interests of Poland" or "refuse to return to Poland on order of the appropriate Polish authorities."[24] In general, however, Poland encourages its citizens living abroad to retain their citizenship and ties. The reasons for this are not entirely sentimental. The remittances of large numbers of Poles living abroad are an important source of hard currency for the stricken Polish economy. Unauthorized departures from Poland carry a penalty of "deprivation of liberty" (imprisonment) for up to five years, or in a case of "lesser gravity," a penalty of "limitation of liberty" (assignment to public work or the application of another punitive measure short of imprisonment) up to one year or a fine.[25]

In March 1981, the Polish Government announced new regulations for passport issuance which simplified application forms, reduced processing time and made all issued passports valid for a three-year period.[26] Thanks to these liberalized procedures, many Poles who had registered with the U.S. Embassy for family reunification in the United States were able to leave the country on tourist passports and thereby avoid the customary long delay in receiving an emigration passport. The Polish Government generally did not interfere with the departure of a citizen with a Polish tourist passport and U.S. immigrant visa, but this was far from a satisfactory arrangement since the Polish authorities frequently would not issue passports to all family members at once, obliging some to remain behind as hostages to ensure the traveller's return. This practice often re-divided an already divided family.

Another problem involved Poles with close relatives abroad illegally who frequently experienced difficulty in securing permission for foreign travel. In January 1982, the Polish Government's Socio-Economic Committee reported that approximately 174,000 citizens -- about one-fifth of the 870,000 Poles who went abroad in 1981 -- have not returned. While a significant percentage of travelling Poles traditionally fail to return, the high percentage for those who went abroad in 1981 can be traced to the imposition of martial law. Approximately 50,000 Polish citizens temporarily outside Poland when the crackdown occurred have chosen to remain abroad and are seeking either political asylum or refugee status.

In late May 1982, the martial law government relaxed passport regulations for elderly or disabled people and those considered to be "non-productive." In June, a further easement was made for family visits under which the Ministry of Interior now will permit such travel with the presentation of a letter of invitation from a relative abroad which has been certified by a Polish consular office. One apparent reason for the relaxation is to encourage the permanent departure from Poland of persons who burden the economy. As with other so-called martial law relaxations, they are in practice quite limited. For example, the U.S. Embassy in Warsaw reports that the number of Poles with passports who applied for non-immigrant visas in September 1982 was below the pre-martial law level for September 1981. Yet, Poland's performance record in family visits has been improving steadily from January 1982 onwards.

As regards family reunification, Poland struck a positive note just prior to the opening of the Madrid CSCE Review Meeting by announcing on September 24, 1980 the resolution of 543 divided family cases backed by the United States. At the same time, fewer citizens reported difficulties in obtaining emigration permission for the United States. But, there were also fewer people applying for emigration during the liberal renewal period. The less restrictive procedures for obtaining tourist passports, enacted in early 1981, also provided an escape mechanism for Poles seeking family reunification. From April 1 to September 30, 1980, approximately 750 U.S. immigrant visas were issued for the purpose of family reunification. In the next two six-month periods, the issuance figures were 1,130 and 1,200 respectively. In the initial weeks following the imposition of martial law, issuance by the Polish authorities of all passports came to a standstill and citizens who had been given passports prior to December 13 were required to have them re-validated. Later in January 1982, issuance was resumed on a reduced basis. From January on, the U.S. Embassy issued more immigrant visas for family reunification than during the last half of 1981. From November 1981 through April 1982, the U.S. Embassy issued 1,512 such visas; from April through September 1982, 1,143 visas.

The other major family reunification base for Polish citizens is the Federal Republic of Germany. In 1980 there were 26,637 immigrants from Poland. In 1981, coinciding with the renewal period, a record 50,989 immigrants from Poland settled in West Germany.[27] During the first six months of 1982, 17,945 arrived in the FRG. Thus, the rate of this type of emigration has remained at a relatively high level throughout recent years irrespective of political developments.

While Poland's record in other areas of human contacts remains mixed or on the down side, its record in binational marriages has remained consistently good. At the end of November 1980, there were eleven problem cases involving U.S.-Polish binational marriages; at the end of May 1981 - nine, at the end of November 1981 - six, at the end of May 1982 - seven. With a few exceptions, there are rarely delays in the issuance of emigration documentation to spouses of a U.S. citizens.

One of the more insidious measures undertaken by the martial law regime has been to use emigration as a tool to rid the country of Solidarity leaders and activists. In early March 1982 the Polish Ministry of Interior announced that internees (Solidarity members and sympathizers held for prolonged periods without charges) would be permitted to leave Poland permanently with their families. In fact, many individuals under detention have been told that their release is predicated on leaving the country. Others who have been released from detention have been informed that they must depart the country and face re-internment should they refuse. In the vast majority of cases, prisoners who remain in Poland endure loss of employment, housing, opportunities for advancement, and suffer other forms of harassment. Yet, despite the grim alternatives -- continued detention for an indefinite period of time or deprivation of a viable means of livelihood within Poland -- relatively few of the thousands of these political prisoners have "chosen" forcible exile from their homeland.

Travel, Tourism and Religious Contacts

It is estimated that a record one million Poles were issued tourist passports in 1981. All passports issued before the imposition of martial law on December 13 were revoked and had to be revalidated. Immediately following the crackdown it was announced that passports would be issued only for official travel, grave emergencies or in the event emigration permission had been granted. On March 15, the Ministry of Interior announced that Poles would be allowed to travel as individuals to other Eastern European countries, but would only be permitted to travel to the West as part of official tour groups. Later, in May, restrictions on travel were eased for the elderly, disabled and "non-productive."

According to the U.S. Embassy in Warsaw, the number of non-immigrant visitor visa applications processed in the summer and fall of 1982 was one-fourth that of the daily average just prior to the imposition of martial law. Along with new procedures set in June 1982 for family visits, the martial law government eventually eased passport restrictions for people participating in institutional, organizational and inter-city exchanges and those travelling abroad for education and emigration. Yet it remains exceedingly difficult for the average Polish citizen to secure permission for temporary foreign travel. Newspapers abound with stories of Poles who ask for political asylum once they reach the West on tourist passports.

Poland continues to encourage foreign visitors, as has long been the case, but their number has declined due to steadily worsening economic conditions and uncertain political circumstances that prevailed in Poland in the last two years. As a general rule, foreigners continue to have had little or no difficulty obtaining visas into Poland.

During the renewal period and even following the imposition of martial law, Poland has permitted frequent religious contacts. However, the long-awaited return visit of Pope John Paul II to Poland, originally timed for the 600th anniversary in August 1982 of the founding of Poland's most important pilgramage shrine -- the Paulite monastery at Jasna Gora which contains the sacred icon of the Black Madonna of Czestochowa -- was rejected. The martial law regime feared that the pontiff's presence in Poland would aggravate the precarious internal situation, and the trip has been deferred until June 1983.

Conclusion

The bright promise of increased contacts, family reunions, and more liberal emigration and travel policies in Eastern Europe engendered by the signing of the Final Act has remained largely unfulfilled. While some progress in these areas has been made in the seven years since Helsinki, the last two years have seen serious regression in some countries, most notably the Soviet Union. Despite their commitment to guarantee the right to emigrate, not one of the countries of the Warsaw Pact recognizes that right in law or practice. To the contrary, these states continue to regard emigration as an unpatriotic act on which they place numerous restrictions and obstacles. Foreign travel is regarded as something for the state to bestow on a chosen -- and faithful -- few. While the pledges contained in the human contacts section of the Final Act raised the hopes of thousands of East and West Europeans, the expectations that they would be reunited with their families, allowed to travel freely, and have greater freedom of movement have, for the most part, not yet been realized.

CHAPTER SIX - BASKET III
(Information)

Introduction

Under the Basket III provisions on information, the participating states oblige themselves to "facilitate the freer and wider dissemination of information of all kinds." This is to be accomplished by expanding the flow of printed, filmed and broadcast information; by encouraging media cooperation and exchanges; and by improving the working conditions of journalists.

Implementation of these provision, however, has been heavily conditioned by the differing interpretations of the proper role of the media in East and West. The Western view maintains that the exchanges of information contemplated in the Final Act must be unhindered and uncensored. Compliance with the Helsinki Accords requires the removal of all artificial obstacles to the free flow of facts and ideas as well as the unrestricted access of citizens to those ideas and facts. The Eastern view, as made clear at Helsinki, Belgrade and, most recently, Madrid, insists that information must contribute to the goal of mutual understanding and in a positive manner. Governments have responsiblity to protect their citizens from war propaganda, racial intolerance, violations of human dignity, and immorality. The state is bound only to make available information that is non-controversial, and positive by its own standards and definitions.

The dissemination of information, therefore, is under strict state control in the Soviet Union and most of Eastern Europe. In addition, these governments utilize a powerful censorship apparatus to insure that all materials published or broadcast conform to ideological standards established by the government and the Communist Party. To the extent possible, information from foreign sources is strictly limited and controlled. Ordinary citizens have great difficulty in acquiring Western publications. Those that are available are primarily publications of pro-Soviet Communist Parties in the West. Western films are occasionally shown on TV or in movie houses in the Soviet Union and Eastern Europe. They appear to be chosen because they are innocuous or portray life in the West in a negative light. When deemed necessary, they are edited to conform to Eastern ideological conceptions. With the exception of Hungary and the GDR, the Soviet Union and all other Warsaw Pact countries practice jamming of radio transmissions of at least some Western broadcasters.

Since the CSCE Review Meeting opened in Madrid in November 1980, Eastern compliance with the information provisions of the Final Act has not improved significantly. Until the introduction of martial law in Poland in December 1981, the period following the Gdansk accords in August 1980 had seen improvement of the Basket III information provisions. The performance of Hungary in this area also continued to be somewhat better than most of the other Warsaw Pact countries.

Unofficial or underground (samizdat) publications continue to exist in the Soviet Union, despite official efforts to root them out. The most important such samizdat journal, The Chronicle of Current Events, has distributed more than 60 issues since it first appeared in 1968 with only one significant interruption. Despite constant changes in editorial staff due to threats, arrests and imprisonment, the Chronicle has maintained its reputation for detailed accurate reportage about human rights abuses.

> Soviet authorities generally have made persistent attempts to suppress samizdat publications, but with limited success. The government harasses those associated with unofficial publications, searches houses and offices, and confiscates writings. The authors of literary and political samizdat materials have been subject to such penalties as loss of employment, internal exile, confinement in labor camps and prisons, and incarceration in mental hospitals.[28]

In Poland, the other Warsaw Pact country in which samizdat publications had been substantially increasing since the 1970s, the need for this type of news dissemination decreased dramatically following the 1980 Gdansk accords with Solidarity when the official media for a short time took serious steps toward the full implementation of the information provisions of the Helsinki Accords. However, following the imposition of martial law in December 1981, the situation returned to the status quo. Since then, harsh punishments have been meted out in scores of cases where those who have printed unofficial leaflets have been arrested. The Warsaw Military District Court in May 1982 sentenced eight persons to imprisonment ranging from two to four years for dissemination of leaflets "which could create unrest."

NEWSPAPERS AND PERIODICALS

The Final Act provisions urging the wider dissemination of newspapers and periodicals calls on the participating states to "express their intention" to undertake two actions: (1) "gradually to increase the quantities and the numbers of titles..." of publications imported from other signatories; and (2) "to contribute to the improvement of access by the public..." to these publications. Simply to increase the number of copies which are imported, without at the same time making those publications more accessible to the majority of citizens does not constitute compliance.

In the absence of any comprehensive and definitive measurement of newspaper and periodical flow between East and West, the Commission -- in its Implementation report of August 1980[29] -- reported the results of a survey of six selected U.S. publications circulated in the Soviet Union and other Warsaw Pact nations. One U.S. daily newspaper, the International Herald Tribune; four weekly news magazines: U.S. News and World Report, *Newsweek*, *Time* and *Business Week*; and one technical journal, *Scientific American*, were examined. Circulation figures indicated that, with the exception of Czechoslovakia, there was a net increase for these publications in the wake of the Belgrade review meeting, although the total numbers remained insubstantial.

> It is important to point out, however, that these circulation figures provide only ballpark estimates of the number of copies intended for public or even local consumption. Half of the publication had no newsstand sales in the areas, and an examination of the paid subscribers lists to two of the periodicals confirms the observation made in the Commission's 1977 report: The overwhelming majority of subscribers are foreign embassies, commercial corporations or news agencies. The bulk of the remainder are official institutions of the importing country.[30]

Considering that the total combined circulation of all six publications in 1979 amounted to 1700 copies in the Soviet Union, 3100 copies in Poland, 506 in Bulgaria and similar numbers in the others, it is apparent that access to the general public was limited indeed. In the Soviet Union, for example, only 50 copies of *Newsweek* were targeted for newsstand sale. In the GDR, merely 62 copies of *Time* were available. From all indications, the numbers of these and similar publications has not shown any improvement in the last two years.

Over and above the small number of U.S. newspapers and magazines which are imported into the Warsaw Pact countries, the critical factor in terms of compliance with the Final Act is the extent to which they are made available to the general public. The participating states agreed in Basket III "to facilitate the improvement of the dissemination, *on their territory,* of newspapers and printed publications...from the other participating States" by encouraging "an increase in the number of places where they can be sold" and "improving the opportunities for reading and borrowing these publications in large public libraries and their reading rooms as well as in university libraries." In addition, the states agreed to expand subscription opportunities (understood in the context of the language of the provision as opportunities for private individuals) and to "improve the possibilities for acquaintance with bulletins of official information issued and distributed by diplomatic missions on the basis of bilateral agreements."

Except for the last commitment with respect to distribution of official materials, compliance with these provisions by the Warsaw Pact countries can only be described as dismal. The access of the average citizen to Western publications is virtually no better than it was at the time of the signing of the Final Act. Notwithstanding, implementation in Hungary (and in Poland prior to the imposition of martial law) has been considerably better than in the rest of the Warsaw Pact.

Elsewhere, observers continue to report that Western publications can be found only in the major hotels of the largest cities, usually the capital, and occasionally in the main tourist centers. They tend to be kept under the counter and are sold almost exclusively to foreign tourists who can pay in hard currency. In every country but Hungary and Poland, prior to martial law, Western publications are held in "closed stacks" of public and university libraries. Access to them is restricted to those with special passes. Entry by ordinary citizens in American Embassy and Consulate libraries, where not prohibited by local authorities, tends to be so closely watched as to discourage use of the libraries. Only in Romania is an American library located elsewhere than on Embassy premises.

Subscriptions to Western publications by private individuals are prohibited in most of the Warsaw Pact countries. Even where not forbidden, the difficulties of obtaining the necessary foreign exchange for purchase poses insurmountable obstacles to potential subscribers.

Availability of Western publications in the Soviet Union is extremely limited and closely restricted. A few Intourist hotels have the *International Herald Tribune* under the counter but available only to foreigners. A recent visitor to Moscow noted that "one finds on hotel newsstands five-day-old copies of the *Times* and *Financial Times* of London, *Le Monde*, the Toronto *Globe and Mail* and other papers from the democratic side. (The only American paper is the New York *Daily World* (the old *Daily Worker*.)[31] The *Daily World*, published by the U.S. Communist Party, is the most widely distributed American newspaper in the USSR; it is ostentatiously sold not only in Intourist Hotels, but also in some kiosks in major cities.[32]

The sole non-Communist U.S. publication on general sale in the USSR continues to be *America Illustrated*, a publication of the United States Information Agency (USIA) which provides a tightly-controlled distribution of 62,000 copies -- the total number allowed by the Soviet authorities. Of these, approximately 10,000 of the copies delivered to the Soviet distribution agency are returned as supposedly "unsold" each month. In addition, the American Embassy also distributes nearly five thousand copies of the quarterly intellectual journal *Dialogue*. Both *American Illustrated* and *Dialogue* are published in the Russian language by USIA.

In Poland, the American Embassy distributes 4500 copies of Amerikya, the Polish language version of *Dialogue* and an additional 30,000 copies have been available on newsstands. (The Polish military authorities on October 29, 1982 ordered the distribution of Amerkya suspended.) In Bulgaria (where restrictions on the circulation of foreign newspapers is so severe that even the Yugoslav Communist press is considered unacceptable), the U.S. Embassy distributes 6,000 copies of *Spektur*, the Bulgarian language version of *Dialogue*. In Czechoslovakia, 6,000 copies of *Spektrum* are distributed; in Hungary, 5,000 copies of *USA*; in

Romania, 13,000 copies of Sinteza; and in the GDR, a small distribution of the English language version of Dialogue. Official resistance to the distribution of even official materials was noted recently in Czechoslovakia, where the U.S. Embassy received a protest from the Ministry of Foreign Affairs concerning the Embassy's distribution of selected USIA "wireless file" items on security issues to a recipient list of fewer than 100 media and government officials. The five items singled out in the protest were all policy statements delivered by high U.S. Government officials.[33] In the GDR, a major change occurred on September 30, 1981, when the Foreign Ministry dropped a previous requirement that Western embassies submit materials for distribution, including foreign policy statements, in advance for approval.

In Hungary, on the other hand, the International Herald Tribune and Time and Newsweek magazines are available in limited quantities at the airport and at various hotels catering to foreign tourists. Hungarian authorities say that Western publications are for sale at more than 40 outlets. Although it is not forbidden, the general public has little access to Western publications by subscriptions because of foreign exchange restrictions. Access to the American Embassy library is not restricted and the general public can also find Western publications available in Hungarian library reading rooms. Government and party officials and many of the working media have access to such publications and most institutions receive a limited number of subscriptions.

By November 1980, Polish official publications and other information media began to provide more detailed, lively, and uncensored reporting of events, including critical comment on government policies. Solidarity had already been granted permission to publish its own weekly newspaper. On July 31, 1981, the Polish parliament passed a new censorship bill in accordance with the Gdansk agreement. Although it retained the principle of prior censorship of all mass circulation publications, the law in effect established that what is not specifically forbidden may be published and distributed. The Solidarity weekly newspaper had achieved a circulation of nearly half a million copies and was appearing on a regular basis. By December 1981, Poland was nearing full compliance with the information provisions of the Final Act.

The declaration of martial law on December 13, 1981 brought all of this to a sudden halt. Martial law saw the suspension of all telephone service, internal as well as external. When communications were finally restored, all telephone, telex and postal services were subject to censorship. Strict censorship was reimposed on the media. Many publicatons were closed and have not reopened. More than 1200 journalists[34] were purged during a process aptly described as "verification."

In short, the Polish media were once again in the benighted situation which prevailed prior to August 1980.

BROADCAST AND FILMED INFORMATION

The Basket III section relating to radio, television and the cinema simply urges the signatories to improve the dissemination of information by these means.

Radio

Considering its importance, as measured by the vast sums of money expended by the participating states both in propagating and in blocking it, reference to radio broadcasting in Basket III is terse and offers no specific recommendations for action.

> The participating States note the expansion in the dissemination of information broadcast by radio, and express the hope for the continuation of this process so as to meet the interest of mutual understanding among peoples and the aims set forth by this Conference...

Granted that a "hope" is something less than a commitment, performance in this area by the Soviet Union and certain of its Warsaw Pact allies has been primarily characterized by their longstanding hostility toward information beamed into their territory by Western radio services. They have made vast efforts to prevent their citizens from listening to Western broadcasters by engaging in a massive jamming operation. Efforts to discredit Western radio organizations in local Communist media have been unremitting. Even more ominous, the Soviet Union, Czechoslovakia and, since martial law, Poland have cited the act of listening to or serving as an involuntary source for radio stations as evidence against dissidents accused of political crimes.

"Jamming" -- the physical (electronic) obstruction of the dissemination of information by radio waves -- is considered a breach not only of the Helsinki Final Act, but also the U.N. Declaration on Human Rights and the Montreux Convention of the International Telecommunications Union (ITU). Jamming was condemned by the ITU in 1977.

Following a hiatus of several years, the jamming of Voice of America (VOA) broadcasts to the Soviet Union was resumed in August 1980 -- just prior to the opening of the CSCE review meeting in Madrid. At the same time, the Soviets reinstituted their jamming of BBC and Deutsche Welle. They have jammed Radio Liberty since its inception. Jamming is used against VOA broadcasts in Russian and six other languages of the USSR. VOA English is not jammed.

On February 1, 1982, Bulgaria resumed the jamming of VOA and Deutsche Welle Bulgarian language broadcasts. Heavy jamming of Radio Free Europe (RFE) continued. Czechoslovakia jams RFE. Most other Western broadcasters, including VOA, are received.

Hungary, Romania and the GDR do not interfere with foreign broadcasts. The GDR presents a special case: 80 percent of its population has unimpeded access to three FRG television channels and to scores of medium wave radio stations. The GDR authorities halted all jamming of Radio in the American Sector (RIAS) in Berlin on November 23, 1978, the date that the Geneva Agreement on Long and Medium Range Frequency Assignments took effect.

Prior to martial law, Poland had jammed RFE alone among the Western broadcasters and that only sporadically. Since December 13, 1981, they have instituted heavy jamming of VOA and RFE Polish language servies, but not VOA English language broadcasts. The jamming has not been totally effective. As a result, Polish and Soviet media have mounted a major media campaign against what are called "subversive" broadcasts. Charging the United States in particular with flagrant violations of the Helsinki Final Act for sponsoring gross intervention in the internal affairs of sovereign Poland and practicing "psychological warfare," a TASS political commentary asserted:

> "The Munich-based radio station Free Europe, the main mouthpiece and offspring of the cold war that is supervised by the CIA, plays an important role in these sinister plans of Washington, which is trying to exploit the difficulties faced by Poland to weaken the socialist community and to whip up international tension. Maintaining continuous contacts with the Polish underground and using the services of mercenary henchmen from among renegades and traitors to the Polish people, this American subversive radio center operating from the territory of another country has drastically expanded its subversive anti-Polish propaganda during the past few months.
>
> "Not limiting themselves to slandering the supporters of the socialist system in Poland, the Soviet Union and the international alliance concluded by Poland, the subversive elements of Radio Free Europe broadcast ciphered instructions to Western agents operating in Poland and also teach the Polish underground itself how to organize 'resistance' to the legitimate authorities and what ploys and methods to use, and convey instructions on where and when the attacks of the anti-socialist forces are planned."[35]

In addition to the problem presented by the Western broadcasters, the Polish authorities have had to contend with a low-powered, clandestine "Radio Solidarnosc" which broadcasts intermittantly in four or five cities, including Warsaw, since early 1982. It appears to have been put out of action in late August with the arrest of Zbigniew Romaszewski, an associate member of the Committee for Social Defense (KOR). The broadcasts virtually ceased after his arrest.[36]

The cost of jamming, according to an authoritative source, is enormous:

> "It has been conservatively estimated that the cost of the capital investment needed to establish the jamming network consisting of 2,500 transmitters was approximately 250 million dollars. However, this represents a one-time investment. The imagination is staggered when we consider energy costs!
>
> "For example, if we assume the average of all transmitters in the system to be 10 kilowatts, then total power output of 25,000 KW results.
>
> "Assuming an average power cost of twenty cents per kilowatt hour, we come up with a yearly power cost of nearly 43 million dollars per year. Operating costs -- personnel, maintenance, communications are of the order of another 100 million dollars annually, which brings the cost of jamming to close to 150 million dollars per year, which is more than the cost of operation of the Voice of America, Radio Free Europe, and Radio Liberty combined. Quite an investment just to make noise."[37]

The West has never alleged that the far-flung enterprises of Soviet radio services violate the CSCE Final Act, nor does it interfere with Soviet radio transmissions. Radio Moscow is the leader in international short-wave broadcasting. The station is on the air for approximately 2,000 hours per week. In addition, weekly international broadcasting from the other Warsaw Pact states totals over 1,500 hours.

In 1978, the Soviet Union began the operation of 29 of the most powerful shortwave transmitters presently in use. Radio Moscow has garnered an even larger audience by providing some 400 U.S. radio stations with pretaped, English language programs. Its World and North American Services, broadcasting from Cuba, can now be received on the standard AM frequency band throughout Florida. Much of Radio Moscow's broadcasting to North America is unadulterated propaganda. Apparently what is termed "psychological warfare" from the West is transformed into "ideological struggle" when it comes from the East.

Television

The Basket III section pertaining to television pledges the participating states to encourage the "wider showing and broadcasting" of a variety of recorded and filmed information from other signatories and to engage in any cooperative ventures necessary to accomplish this goal. Since the 1977-78 Belgrade CSCE review conference, viewers in most of the Eastern states have gained somewhat broader exposure to U.S. television and feature movies as expansion of their facilities has led to a need for additional program materials.

Unlike radio broadcasting, television programs and feature movies leave editorial control in the hands of the local broadcasters. It is possible to choose among the films and videotapes offered. They can be edited to the point of bowdlerization and in effect, can be subjected to censorship -- at least until the advent of international satellite television.

Some Western films are shown on television or in movie theaters in Eastern Europe. Often, however, these seem selected either because they are totally innocuous or because they portray life in the West in a negative light. They are frequently edited to conform to propaganda requirements.

The Soviet Union has shown some 40 American feature films in movie houses during the last 15 months, but none on television. A sampling of the titles used suggests why they were selected: "Kramer vs. Kramer," "The China Syndrome," "Three Days of the Condor," "Norma Rae," and "One Flew Over the Cuckoo's Nest." The showing of two feature films per week in Poland in late 1981 dropped off sharply after martial law was introduced -- possibly due to funding difficulties. The GDR showed ten American feature films in 1981; Czechoslovakia imported 57 films, 25 of which were shown on TV in 1980, but the total was down to seven in late 1981 of which four appeared on television. Romania is a regular user of American films, with two or three at a time showing at any one time in movie theaters and on TV. "Dallas" returned to Romanian prime time in 1981. Romanian TV makes occasional use of American documentaries. Hungary is the largest user with as many as 24 American films per week playing simultaneously either in theaters or on television.

Another avenue for the acquisition of film materials for use on national TV programs arises from the inter-connection of Eurovision (the West European Broadcasting Union) and Intervision (the East European version). Programming available from this source consists mainly of sports, space and international news.

In the United States, programs from and about the Warsaw Pact countries are still few and far between. U.S. television networks do not routinely air shows produced in foreign countries -- whether they emanate from East or West Europe. Given the intense competition among the commercial U.S. networks, and the enormous financial investments at stake, many television executives contend that there is little room left for experimentation with programs that are not geared to the tastes of an American mass audience. Public television executives echo that view.

WORKING CONDITIONS FOR JOURNALISTS

The Final Act asserts that journalists' working conditions can be improved by facilitating the freer movement of journalists and by asisting them in the performance of their work and protecting them from government interfernce and penalties.

Since August 1980, there has been some improvement in compliance with these provisions in the Warsaw Pact countries, although there have been a number of violations in the Soviet Union and at least one each in Poland, Bulgaria, Czechoslovakia and the GDR. Only Hungary and Romania remained in essential compliance with the provisions of the Final Act.

The country with the worst record is the Soviet Union which continues to maintain tight control over foreign journalists. Overt censorship of wire transmissions of news stories out of the country is infrequent, but the treatment of selected foreign journalists can only be characterized as crude harassment.

U.S. restrictions on and warnings to resident Soviet (and, in one instance, Polish) journalists -- of which their were two instances -- were based upon strict reciprocity, in retaliation for similar actions taken against American journalists. U.S. visa policies with regard to Eastern journalists are also based strictly on reciprocity. The USSR is the only East European country that continues to deny access to certain closed areas of the country. In keeping with the policy of strict reciprocity, the United States maintains corresponding areas which are off limits to Soviet journalists.

Freedom of Movement

The Final Act outlines a number of steps that should be taken to ease the travel of journalists into, out of and within a CSCE country. The participating states are enjoined to:

> ...examine...within a...reasonable time scale requests from journalists for visas...grant to permanently accredited journalists, on the basis of arrangements, multiple entry and exit visas...facilitate the issue to accredited journalists...of permits for stay in their country of temporary residence...(and) ease, on a basis of reciprocity, procedures for arranging travel by journalists...in the country where they are exercising their profession...

As mandated by Basket III, the United States has concluded multiple entry and exit visa agreements with the USSR, Czechoslovakia, Poland, and, most recently, with Hungary. A number of visa problems have continued to surface, however. Only 40 American journalists and film technicians, of some 200 who had applied for visas to cover the Moscow Olympics, actually received them. The Soviet authorities denied three visa requests during the same period for short term accreditation to cover non-Olympic related stories.

No progress has been made in negotiations between the U.S. and the USSR concerning issuance of multiple entry and exit visas for non-resident correspondents.

In 1981 there was some improvement in the visa situation in the Soviet Union. Six U.S. journalists received multiple entry-exit visas and permanent accreditation in a timely fashion and, in 1982, two replacement correspondents were processed with dispatch although issuance for one technician was delayed for three months.

A few visa problems have occurred in other Warsaw Pact countries. Bulgaria denied visas to six American journalists, including a Public Broadcasting Service representative late in 1981. They were seeking to cover the activities of a large tourist group celebrating Bulgaria's 1300th Anniversary and the 40th Anniversary of the saving of Bulgarian Jews during World War II. The journalists were denied entry at the airport despite a prior commitment. Adding injury to insult, they were also charged exorbitant airport and baggage fees.

East Germany continues to refuse to grant accreditation to U.S. journalists living in West Berlin or in any other West German location. As a result, U.S. journalists encounter few difficulties in acquiring one-day visas to East Berlin, but travel elsewhere in the GDR is severely hampered. As "visiting journalists," correspondents must present minutely detailed itineraries and hire a car, a driver, and an escort-interpreter through the International Press Service. Many German-speaking Western reporters complain that not only are these services unnecessary and cumbersome, but also very expensive. In November 1980, the GDR tightened restrictions placed on foreign journalists in April 1979, requiring them to apply to the Foreign Ministry for permission to attend and report meetings of various GDR organizations and individuals -- including religious synods and interviews with private citizens. Theater critics are required to obtain advance permission to cover cultural performances. In April 1981, GDR officials refused permission to correspondents from Die Welt and the West Berlin radio stations RIAS and Radio Free Berlin to cover an East Berlin meeting of an Evangelical church meeting.

In early 1981, Czechoslovak authorities refused admission to two American journalists, one of whom was a VOA correspondent, who desired to cover a Communist Party congress. In 1982, five visas were granted to American correspondents with permanent accreditation and at least four more were granted for individual visits. Western journalists in Czechoslovakia contact dissidents without official interference but remain subject to obvious surveillance. Interviews with Czechoslovak officials are usually granted and arranged although not always at as high a level of officialdom as desired by the correspondents.

American journalists report no visa or travel problems in Hungary or Romania.

In Poland, large numbers of American journalists were admitted during the summer of 1980 and were able to work without hindrance. Considering the numbers, access to all areas of the country and to high level officials was good. In the period from mid-1981 to December 13, access by the foreign press continued to improve. Twelve U.S. media representatives were given permanent accreditation and more than 100 visas to U.S. newsmen were granted for individual visits with no apparent problem. Access to Solidarity members and dissidents was not limited. Freedom to move about within the country and communicate with their home offices was unimpeded.

The imposition of martial law in Poland brought a host of changes, all negatively affecting foreign journalists' ability to ply their trade. The military authorities almost immediately turned over to the Ministry of Foreign Affairs Press Department the former responsibilities of Interpress, the organization previously charged with responsibility for foreign media representatives in Poland. The renamed press center now carefully controls (as opposed to facilitating) access to Polish officials by the foreign media. The center concentrates on preparing press conferences that serve the authorities' propaganda ends. Foreign journalists can travel outside Warsaw only after having gained the Polish authorities' permission, which is often not given. Equipment may be brought in without difficulty, but the crews of those television networks permanently accredited to Poland are now basically limited to Polish nationals. International telex and outgoing telephone communications with parent organizations were restored in early April, after more than three months of interruption under martial law restrictions.

Working Environment

In order to provide a suitable working environment for journalists, Basket III specifically engages the participating states to:

> ...increase the opportunities of the participating States to communicate personally with their sources... grant to journalists...the right to import, subject only to its being taken out again, the technical equipment necessary for the exercise of their profession...enable journalists...whether permanently or temporarily accredited, to transmit completely, normally and rapidly by means recognized by the participating States to the information organs which they represent the results of their professional activity...

Furthermore, it is explicitly stated:

> The participating States reaffirm that the legitimate pursuit of their professional activity will neither render journalists liable to expulsion nor otherwise penalize them. If an accredited journalist is expelled, he will be informed of the reasons for this act and may submit an application for re-examination of his case.

Late in 1981, Staffan Teste, Moscow correspondent for the Swedish newspaper *Dagens Nyheter,* was refused permission to reenter the Soviet Union following his return to Sweden on leave. From early 1981 Teste had been reporting in his paper on the apparent rise in the Baltic states of a movement resembling in some respect the Polish "solidarity" movement. Said *Dagens Nyheter,* in an editorial on January 5, 1982:

> "The Soviet Union is pretending that the correspondent is guilty of spying and agitation. The accusations are a crude attempt to sidestep the Helsinki Final Act's statements on the free flow of information, unhindered by national authorities...
>
> "In its demarche...Moscow actually asserted that Staffan Teste had 'systematically infringed Soviet legislation from the very beginning of his work' by engaging in espionage and agitation...according to their own version, the Soviet authorities have allowed systematic violation of the law to take place for almost three years before deciding to take action. Does Moscow really believe than anyone would swallow these fairy stories?...
>
> "Teste has practiced journalism and nothing else...he is being made the scapegoat of strong Soviet displeasure with Sweden because of our critical view of the Soviet submarine intrusion in the Karlskrona Archipelago."

In early 1982, Anne Garrels, a correspondent for the American Broadcasting Company had her accreditation card confiscated after being involved in a traffic accident in which a man was killed. She was not formally expelled from the Soviet Union, but a pattern of continuing harassment ensued. In Kiev, following the accident, she was dragged for two blocks by an assailant who finally succeeded in stealing her handbag. A policeman on the scene refused to come to her assistance, thus fueling the suspicion that the entire incident was set up.

In another incident, a number of journalists were treated roughly, and a correspondent was thrown to the ground by Soviet militia as he tried to speak to a Soviet citizen who earlier had forced his way into the U.S. Embassy.[38]

The Soviet Union announced August 3, 1982, that it was expelling *Newsweek* correspondent Andrew Nagorski, who was accused of using "impermissible journalist methods." Nagorski completely denied the charges against him, which included posing as a Soviet journalist while visiting a provincial city, violating travel regulations for foreigners, and pretending to be a Polish tourist to gather information.[39]

Applying the reciprocity principle, the United States, shortly thereafter, voided the credentials of a Soviet journalist who was then on home leave.

In June 1982, Polish authorities expelled Swedish journalist Annette Kullenberg. She had attempted on June 14 to send an article to Aftenbladet containing an account of the events in Warsaw June 13, the day marking six months since the military takeover. The article was never sent, but was given as the reason for the expulsion. Ironically, Kullenberg had gone to Poland at the invitation of the authorities as a member of a party of Scandinavian journalists to promote increased tourism in Poland.[40]

In August 1982, Polish authorities lifted the credentials of New York Times correspondent John Darnton when the government objected to a story he filed describing beatings of interned Solidarity trade unionists. When the U.S. State Department promptly retaliated against a Polish correspondent in the United States, the Polish Foreign Ministry restored Darnton's credentials. Again, reciprocity was applied and the Polish correspondent was returned to the status quo.

In the area of communications technology, there has been one positive development and one very negative one. Since December 20, 1981, Western TV correspondents can transmit coverage of official events by satellite feed direct from Moscow. Coverage of non-official events must, however, continue to be hand-carried to Western Europe for transmittal.

In July 1982, the Soviet authorities ended direct-dial telephone service (which had been installed for the Moscow Olympics) out of the Soviet Union and drastically reduced the number of circuits available to the West as well. In early September, Moscow cut off direct-dial telephone service into the Soviet Union from Western Europe, North America and Japan. Although the move was apparently ordered by the security forces and intended to limit contact between Soviet citizens and individuals living in the West, it is causing great difficulties for foreign journalists in communicating with their home offices. Soviet authorities have cited "technical difficulties" which will be cleared up in about two years, as the cause. The result, however, has created a situation in which the Soviets exercise control over international calls with "precision."[41]

Conclusion

In the area of working conditions for journalists, problems arise to some extent from the difference in Eastern and Western perceptions of the role of news media. The Soviet Union and its close allies have never been advocates of a free press. They hold that information must serve the socialist state and that the corrupting influence of foreign news organizations must be controlled. Communist ideologists -- like Jeffersonians -- acknowledge the power of the press, but for different reasons the former see it as a mechanism for political control; the latter as a source for the free dissemination of knowledge.

In the Soviet Union, a journalist, in addition to being an employee of the state, has been traditionally viewed as an instrument of the state, serving primarily a propagandistic function. Independent, comprehensive and objective newsgathering by the press, so highly valued in the West, is intolerable to governments that endeavor to control completely what their citizens read in the newspapers, watch on television or hear on the radio. Despite the CSCE call for the free flow of information, most Warsaw Pact countries continue to restrict and penalize journalists who are simply performing their jobs.

The Eastern approach to the dissemination of information undermines all aspects of the Basket III information provision. As a result, the few positive developments in the exchange of information between East and West have been heavily overshadowed by the several forms of censorship -- restricted, almost non-existent access to Western newspapers and periodicals, jamming of Western radio stations, and constraint on journalists' activities -- that still widely prevail in Eastern Europe and the Soviet Union in blatant violation of the Helsinki Final Act.

CHAPTER SEVEN - BASKET III

(Cultural and Educational Exchanges)

Introduction

When U.S. cultural exchanges with the Eastern countries over the past two years are tallied up, it is apparent that there has been a decline in the previous levels achieved in the post-Helsinki years. This is due largely to the U.S. reaction to the massive and egregious violations of the Helsinki Accords in Afghanistan and Poland. Nevertheless, the level of residual exchange activity is higher than generally believed, due to the preservation of the official educational exchanges with the Soviet Union and Eastern Europe, the continuation of many non-governmental exchanges and the development of a number of new exchanges.

Cultural Exchanges

The Final Act recognized that cultural and educational exchanges are an integral part of normal intercourse between states, including those with differing political, economic and social systems. By giving an official stamp of approval to these exchanges, the Final Act provided a new stimulus to increased contacts between East and West. This was especially true in Eastern Europe where, prior to 1975, Bulgaria, Czechoslovakia, Hungary and the German Democratic Republic were unwilling to conduct exchanges with the United States in the absence of approval from Moscow. The Helsinki Accords provided these countries with the necessary leverage to obtain this approval. The Soviet Union itself already had extensive cultural and educational exchanges with the West prior the the signing of the Final Act and thus Helsinki played a lesser role there.

There are differing views on how such exchanges should be conducted. The West supports the concept that cultural and educational exchanges should be conducted directly between individuals and institutions, with a minimal role for governments. The Final Act, in fact, calls for "direct contacts and communications" among persons engaged in cultural and educational activities. The East, by contrast, regards exchanges as instruments of official policy, to be regulated and conducted by the state under intergovernmental agreements, and to achieve specific political and economic objectives.

The years 1975-1979 saw a rapid expansion of exchanges with the East. The United States signed cultural and scientific agreements with Bulgaria and Hungary, held negotiations on a similar agreement with Czechoslovakia and exploratory talks with the German Democratic Republic. But perhaps of greater significance was the expansion of exchanges between non-governmental organizations on the U.S. side and counterpart organizations in the East, in the fields of culture, education and public affairs.

The Soviet Union

The Soviet invasion of Afghanistan in December 1979 brought a halt to most governmental exchanges between the United States and the Soviet Union. The three-year U.S.-U.S.S.R. Cultural Agreement was due to expire at the end of 1979. Negotiations for its renewal were held in December, but full agreement was not reached and the agreement expired. The Carter Administration, because of Afghanistan, announced that the negotiations would not be reopened and this policy was continued by the Reagan Administration. At the Madrid CSCE review meeting, the U.S. delegation made it clear that the Soviet Union's disregard for the principles of the Final Act, demonstrated by the invasions of its neighbor, had undermined the basis for cooperative efforts between the two countries. Without a cultural agreement, the Soviet Union discontinued many of the official exchanges, particularly those conducted by its Ministry of Culture, including the performing arts, art exhibits, and exchanges of cultural leaders and arts students. By contrast educational exchanges, conducted by the U.S.S.R. Ministry of Higher and Specialized Secondary Education, have continued, thus demonstrating that certain exchanges with the United States can be carried out without an intergovernmental agreement if they are of sufficient interest to the two countries.

In the absence of an official agreement, the once very active U.S.-U.S.S.R. performing arts exchange has virtually ceased. Since the invasion of Afghanistan, the U.S. Government has sent no performing artists to the Soviet Union under the official program, although, in 1982, some U.S. artists were invited by the American Ambassador to perform in Moscow and Leningrad before small audiences of Soviets invited personally by the Ambassador.

Since 1979, only one Soviet ensemble, the Armenian Chamber Orchestra, has visited the United States, and no individual artist has performed. Prior to 1980, as many as seven or eight Soviet ensembles and 25 to 30 individual artists would perform in the United States each year. Despite the lack of an official agreement, the U.S. Government has informed the Soviets that it would be receptive to visa applications for Soviet artists. In rebuffing this overture, the Soviets have cited the absence of an agreement, but the real reason for their reluctance is commonly believed to be the rash of defections by Soviet artists in the West during 1979. The failure of U.S. and Soviet negotiators to agree on provisions for "guarantees of security" for visiting Soviet artists, as sought by the Soviet negotiators, was a major block to renegotiating the Cultural Agreement. "Guarantees of security" is understood to be a Soviet euphemism for guarantees against defection. The U.S. refused to provide such guarantees.

The once active exhibit exchange with the Soviet Union has also virtually ceased. In the absence of a cultural agreement, the exchange of official thematic exhibits between the two countries, which began in 1959, has been suspended. At the same time, the private exchange of exhibits between U.S. and Soviet museums which flourished during the 1970's has come to a halt. In the

1981-82 period the U.S.S.R. Ministry of Culture turned down the requests of several U.S. museums to borrow paintings from Soviet museums for exhibition in the United States. This Soviet policy of refusing to lend art works to U.S. museums follows a U.S. Government decision taken after the Soviet invasion of Afghanistan, not to sign waivers of judicial seizure. Such waivers would require a certification by the U.S. Government that the exhibition of Soviet art in the United States is in the national interest and the art objects, therefore, could not be attached or seized.

Some contacts between U.S. and Soviet theaters have continued despite the lack of a cultural agreement. Three Soviet dramatists attended the annual National Playwrights' Conference at Waterford, Connecticut in July 1981. Six Soviet dramatists were invited to the 1982 Conference. U.S. visas were authorized by Washington but at the last minute the Soviet authorities, citing the lack of a cultural agreement, refused to let them attend the Conference. The Soviet have not responded to other theater invitations from the United States. The Rustaveli Theater of Soviet Georgia was invited to perform in Denver in June 1981 following a visit to Mexico City, but the Ministry of Culture turned down the offer. And the celebrated Soviet Director, Yuri Lyubimov, was invited to direct plays at the Hartman Theater in Stanford, Connecticut in 1981 and at Yale University in 1982, but permission for his travel was not granted by Soviet authorities. Lyubimov had been scheduled to visit the United States in January 1980, but his trip at that time was abruptly cancelled by the Ministry of Culture a few days before his scheduled arrival.

The conferences of U.S. and Soviet writers have continued, with the fourth meeting in this series held at Los Angeles in November 1980 and the fifth in Kiev in July 1981. While the American writers in these conferences have been representative of the contemporary U.S. literary scene, the Soviet participants have been restricted to writers in good standing with the official Union of Writers. Unofficial or non-conformist Soviet writers have been not only excluded from such activities, but persecuted for their unorthodox views. For example, a decree of the Presidium of the Supreme Soviet in January 1981 stripped three such writers of their Soviet citizenship while they were abroad on exchange visits. Lev Kopelev, a human rights advocate and specialist on German literature, and his wife Raisa Orlova, an American literature expert, were in the Federal Republic of Germany for a year at the invitation of Heinrich Boell, the noted German writer. Vasily Aksyonov, one of the rising stars of Soviet literature who had joined 22 other Soviet writers in 1979 to challenge official censorship, was lecturing in the United States.

Soviet treatment of dissident writers was one of the reasons many U.S. publishers declined to attend Moscow's Third International Book Fair in September 1981. Other reasons for decreased U.S. presence at the Fair were the denial of Soviet visas to U.S. publishers in recent years, Soviet censorship of books exhibited at previous Moscow Fairs, and reduced prospects for the sale of books to the Soviet Union. However, in contrast to the 1979 Fair when at least 44 books were removed from U.S. exhibits by Soviet censors, only about ten books were removed in 1981. This was due, in part, to deliberate self-censoring efforts by many publishers to avoid sending books which might be removed. Also, because the Soviet authorities are mainly interested in purchasing books on science, technology and medicine, fewer books in other, more controversial, fields were exhibited. Books deleted by Soviet censors in 1981 included two by Henry Kissinger, two on Jewish themes, one on Solzhenitsyn and one on Eurocommunism. While the Moscow Fair was in progress, U.S. publishers in New York hosted a "Third Moscow Book Fair in Exile" to honor exiled and jailed Soviet writers.

Several other non-official exchanges have continued, conducted by private organizations on the U.S. side and by various governmental or quasi-governmental organizations on the Soviet side. The Dartmouth Conference held its thirteenth biennial meeting of U.S. and Soviet public figures in November 1981. The U.S. United Nations Association (UNA) met with its Soviet counterpart in Moscow in November 1980, but a spring 1981 meeting on economics was cancelled by the U.S. side when the Soviets denied a visa to one of the American participants, Professor Marshall Goldman of Wellesley College and the Harvard Russian Research Center. Another UNA meeting with the Soviets on arms control and security was held at Hershey, Pennsylvania in January 1982.

One of the suspended private programs is the exchange between the American Council of Young Political Leaders and the U.S.S.R. Committee on Youth Organizations. Since 1971, this exchange has brought together each year young (under 40) political leaders of the two countries for week-long meetings in which current issues between the two countries are debated in an informal atmosphere. Although conducted as a private exchange outside the intergovernmental program, this exchange had been largely funded on the U.S. side by the U.S. International Communication Agency which discontinued its support after the Soviet invasion of Afghanistan.

Private U.S. organizations which have continued their exchanges with the Soviet Union include the American Friends (Quakers), the Citizens Exchange Council, the Young Mens Christian Association, the Forum for U.S.-Soviet Dialogue and several church-affiliated groups. New programs were begun by the U.S. National Academy of Sciences on arms control and disarmament, the Institute for Policy Studies, the Foreign Policy Research Institute and the U.S.A.-U.S.S.R. Citizens Dialogue.

A focus of many of these newer exchanges, as well as some of the older ones, is arms control, disarmament and world peace -- issues which reflect legitimate concerns of citizens in both countries. Of course, as with all U.S.-U.S.S.R. exchanges, the Soviets in these meetings always present the views of their government and its "peace offensive" while the Americans represent only themselves or their organizations. Nevertheless, these meetings facilitate an exchange of ideas, information and people which is one of the objectives of the Final Act and which, hopefully, can achieve over time greater understanding and tolerance rather than the unilateral objectives desired by the Soviet leadership.

Eastern Europe

With the exception of Poland, exchanges with Eastern Europe have continued on a normal course. With Romania, the United States signed a new Program of Exchanges in May 1981 for the period 1981-82; with Hungary, a new Program was signed in December 1981 for 1981-82; and with Bulgaria, a new Agreement was signed in March 1982 for 1982-83. There were no changes in the low level of cultural activity with Czechoslovakia and the German Democratic Republic, countries with which the United States does not have cultural agreements.

Performing arts exchanges continued at a high level. In 1981, the Baltimore Symphony performed in the GDR; the Lar Lubovitch Dance Company, in Romania, Poland and the GDR; Boston's Musica Viva, in Bulgaria, Czechoslovakia, Hungary and the GDR; and U.S. jazz ensembles, at Warsaw's Jazz Festival. In the United States in 1982, there were extensive tours by Bulgaria's Sofia Philharmonic, Poland's Warsaw Chamber Orchestra, Mazowsze Dance Ensemble and Warsaw Philharmonic, and Romania's Ballet Fantasia.

U.S. cultural exchanges with Poland were severely set back by the imposition of martial law in December 1981. Although there has never been a U.S.-Polish cultural agreement, U.S. exchanges with Poland in the past have been the largest and most comprehensive with any Eastern European country and have served as a model for exchange activities with other Eastern countries.

Under martial law, travel by Poles was severely limited, and access by U.S. Embassy officers to Poles active in cultural affairs was restricted. The United States withdrew plans to send three exhibits to Poland, and no performing artists have been sent under the official program since the imposition of martial law. The atmosphere for cultural exchange deteriorated further when the military regime expelled the U.S. Embassy Cultural Officer in May 1982, charging him with activities inconsistent with his diplomatic status, a charge rejected by the United States.

Despite these actions and the repressive atmosphere within Poland, the regime appears desirous of continuing the extensive exchanges and institutional links which have developed between Poland and the United States over the past 25 years. However, until the situation within Poland returns to normal and the provisions of the Final Act are more fully observed, cultural exchanges will be adversely affected.

Educational Exchanges

Educational and scholarly exchanges between the United States and the Soviet Union have continued, although with some reductions in numbers of persons involved, despite the deterioration in relations which followed the Soviet invasion of Afghanistan and the imposition of martial law in Poland. This reflects the importance both countries assign to these exchanges which have existed for more than 20 years.

Beginning with the 1980-81 academic year, the number of graduate students and young faculty exchanged each year under the lapsed Cultural Agreement has fallen to about 30 from each country. Previously about 45 had been exchanged each year under this program which is conducted on the U.S. side by the International Research and Exchanges Board (IREX) on behalf of the U.S. academic community, and on the Soviet side by the Ministry of Higher and Specialized Secondary Education. The impetus for the reduction came from the United States which has been unable to place the usual number of Soviet nominees due to two factors. Under the U.S. Government review of the Soviet nominations, more than 20 of the nominees were rejected because their proposed fields of study were in critical technologies which are subject to export and security controls. Second, an increasing number of American universities have been reluctant to accept Soviet scholars over the past three academic years in protest against Soviet views and actions. The U.S. rejection of Soviet nominees has been matched by Soviet rejection of an equivalent number of American nominees under this numerically reciprocal exchange.

Other U.S.-U.S.S.R. scholarly exchanges have continued on a more or less normal course. The IREX summer exchange of language teachers was resumed in 1981 and 1982. This exchange was suspended in 1980 by the Soviets because of their hosting the Olympics that year. Also proceeding normally is the exchange of senior scholars conducted by IREX with the Soviet Ministry of Higher and Specialized Secondary Education. In addition, the U.S.-U.S.S.R. Commission on the Humanities and Social Sciences held its fourth meeting in September 1981 and reached agreement on another two-year program of cooperative research between the American Council of Learned Societies and the Soviet Academy of Sciences. A new Subcommission on Philosophy was added to the already existing 12 subcommissions in various disciplines of the humanities and social sciences. Also continuing, although at a somewhat reduced level, is the Fulbright program which exchanges American and Soviet university lecturers for a semester or academic year. During the 1980-81 year, 16 American professors lectured at Soviet universities and 15 Soviets lectured in the United States. For 1981-82, 15 Americans and six Soviets were exchanged. The 1982-83 lecturer exchange is expected to continue at comparable levels.

The direct and private exchanges between U.S. and Soviet universities which began in the mid-1970's are also going forward. Two new exchanges were added in early 1982 when the University of Lowell, Massachusetts signed an exchange agreement with Tbilisi

University in Soviet Georgia, and the University of Missouri at Kansas City signed with Moscow State University. Currently there are seven such agreements for direct exchanges which are still active.

At the same time, two Soviet ministries have suspended their Fulbright exchanges. The Ministry of Culture suspended the exchange of graduate students in the arts, and the Ministry of Education has withdrawn from the exchange of university lecturers in education. Both actions followed the expiration of the U.S.-U.S.S.R. Cultural Agreement in December 1979.

East European scholarly exchanges with the United States continued their normal course, even in Poland where the imposition of martial law has not significantly affected the IREX and Fulbright programs. For example, during the 1981-82 academic year -- a year of dramatic change in Poland -- there were 16 Americans lecturing full time in Polish universities under the Fulbright program. And IREX and the Polish Academy of Sciences established a Commission on the Social Sciences and Humanities on October 7, 1981 to conduct cooperative research in these fields. The first meeting of the Commission is planned for October 1982 in New York. However, direct exchanges between Polish and U.S. universities have suffered, with some U.S. universities unwilling to continue the exchanges under conditions of martial law.

The U.S.-Romanian lecturer exchange also continued at a normal level with approximately ten lecturers exchanged annually on each side. The Romanians, however, failed to nominate any candidates for the Fulbright Research Scholar exchange, as provided under the bilateral Cultural Agreement, and thereby lost a total of 100 person-months of scholarship grants each year during 1981-82 and 1982-83. Smaller lecturer exchanges continued with Bulgaria with two persons exchanged annually on each side, and with Czechoslovakia where two Czechoslovaks and one American were exchanged each year.

A tightening of Czechoslovak visa policy adversely affected U.S.-Czechoslovak scholarly exchanges during the first half of 1982 when the authorities began denying visas to U.S. citizens who had been born in Czechoslovakia. This new policy, a change from previous practice, prevented several previously approved exchanges from going forward.

Cooperative research with the German Democratic Republic (GDR) was given an institutional base in May 1981 when IREX and the GDR Ministry of Higher and Technical Education signed an agreement establishing a U.S.-GDR Commission on the Social Sciences and Humanities. A protocol to the agreement, designating six subjects for cooperative research, was signed on June 29, 1982.

CONCLUSION

Government sponsored cultural exchanges with the Soviet Union and Poland have been curtailed following the Soviet invasion of Afghanistan and the imposition of martial law in Poland, but exchanges with the other Eastern European countries have continued on a more-or-less normal course. Cultural exchanges between U.S. non-governmental organizations and their counterparts in the Soviet Union and Eastern Europe, for the most part, have not been affected by the deterioration in relations between the superpowers. Nor have educational exchanges been affected. Despite some decline in the number of persons exchanged, most of these scholarly programs have continued.

FOOTNOTES

(1) U.S. Department of State, Bureau of Public Affairs, "Chronology: Soviet and Soviet Proxy Involvement in Poland," July 1980-December 1981.

(2) Soviet Analyst, February 24, 1982, Vol. II, No. 4, p. 3.

(3) Hungarian Balance Sheet by Christopher Cuiie, The Tablet, July 30, 1982, London, England.

(4) Radio Free Europe Research, "The New Censorship Law: How Much More Freedom do the Media Get?", August 28, 1981.

(5) Ibid., "Solidarity's Access to the Mass Media."

(6) Prologue to Gdansk: A Report on Human Rights by the Polish Helsinki Watch Committee, published by U.S. Helsinki Watch Committee, New York, November 981.

(7) Radio Free Europe Research, "KSS 'KOR' Disbands: Five Years in Retrospect," by Ewa Celt and Anna Sabat, October 6, 1981.

(8) Ibid.

(9) For a detailed analysis of how martial law violates the specific provisions of the Polish Constitution and the international human rights instruments cited, see Violation of the Helsinki Accords in Poland since December 13, 1981, a Helsinki Watch Report, New York, February 1982.

(10) Amnesty International: Amnesty International Report, 1981.

(11) 1981 Country Reports on Human Rights Practices, U.S. Department of State, 1982.

(12) Amnesty International, Amnesty International Report, 1981.

(13) Capusan was one of the activists arrested in February 1980 at the time of the U.S.-Romania human rights roundtable.

(14) For background of Nicolescu, Popescu and Ton, see Implementation of the Final Act of the Conference on Security and Cooperation in Europe: Findings and Recommendations Five Years After Helsinki, August 1, 1980, p. 51-52.

(15) Decree/Law 278 of May 11, 1973 as amended by Law on Education and Instruction of December 26, 1978.

(16) "How to Emigrate to Israel from the USSR," The International Council of B'nai B'rith, Washington, D.C., 1982, p. 3.

(17) International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly in 1966, ratified by the Soviet Union in 1973, and put into effect in 1976.

(18) "Penalties for Soviet Germans Applying to Emigrate," Gelischanow, Anastasia, Radio Liberty Research, RL 309/82, August 2, 1982, p. 5.

(19) Ibid., p. 4.

(20) "Law Governing Foreigners in Soviet Lists Rights but the Theme is Curbs," Schmemann, Serge. The New York Times, June 30, 1982.

(21) Dr. Arie Brouwer, general secretary of the (Dutch) Reformed Church in America, as quoted by Tracy Early, "US-Soviet Churches: Who is Best Served by Links Between Them?", The Christian Science Monitor, June 28, 1982.

(22) Polish Passport Law of June 17, 1959 as amended, Chapter 2, Article 4, item 4.

(23) Polish Ministerial Order of May 22, 1967, Chapter 5, paragraph 11.

(24) Polish Citizenship Law of February 15, 1962, Article 15, items 2 and 4.

(25) Polish Penal Code, Article 288, paragraphs 1 and 2.

(26) Tenth Semiannual Report on Implementation of the Helsinki Final Act, December 1, 1980 - May 31, 1981, U.S. Department of State, p. 17.

(27) These yearly immigration figures for the Federal Republic represent the number of former citizens of Poland who settled permanently in the FRG and includes both individuals who emigrated from Poland with express permission from the Polish Government and Polish refugees.

(28) U.S. Department of State, Twelfth Semiannual Report by the President to the Commission on Security and Cooperation in Europe, May 31, 1982.

(29) Implementation of the Final Act of the Conference on Security and Cooperation in Europe: Findings and Recommendations Five Years After Helsinki, Report submitted to the Congress of the United States by the Commission on Security and Cooperation in Europe, August 1, 1980.

(30) Ibid.

(31) Arthur Schlesinger, Jr., "Russian Revisited: Life There Has Improved," Wall Street Journal, August 17, 1982.

(32) Twelfth Semiannual Report, May 31, 1982.

(33) Warsaw Television Translated in FBIS, Poland Daily Report, May 14, 1982, p. G11.

(34) Anthony Barbieri, Jr., "Polish papers lose writers, readers under martial law," Baltimore Sun, August 30, 1982.

(35) "Undisguised Intervention" by TASS political analyst V. Serov, from FBIS, USSR Daily Report, May 21, 1982, p. F1.

(36) New York Times, September 5, 1982.

(37) "Jamming -- Past, Present and Future" by Stanley Leinwoll, WRTH Journal.

(38) Warsaw Television, FBIS, Poland Daily Report, May 14, 1982, p. G11.

(39) "Soviets Order Newsweek's Correspondent in Moscow to Leave," by Michael Dobbs, The Washington Post, August 3, 1982.

(40) "Expelled Journalist: Don't Go to Poland," Dagens Nyheter, Stockholm, June 17, 1982, as translated in FBIS, Poland Daily Report, July 2, 1982, p. G8.

(41) "Did Moscow Hang Up on the World? Soviet International Phone Service Fails," by Robert Gillette, Los Angeles Times, September 11, 1982.

Appendix A

UPDATE ON THE STATUS OF POLITICAL ACTIVISTS IN CZECHOSLOVAKIA

The following is a list compiled by Anna Faltus of the Czechoslovak National Council, detailing the current status of political prisoners in Czechoslovakia. This listing is intended as an update to Appendix B of the Commission's Implementation Report of August 1, 1980. The listing consists of four major groups:

A. Those presently in prison including Charter 77 signatories, members of VONS and other human rights activists imprisoned for various reasons.

B. Those released from prison including citizens released, who remained in Czechoslovakia and those who subsequently emigrated to Western Europe.

C. Religious persecution

D. Examples of harassment and persecution of citizens in Czechoslovakia for trying to exercise their rights.

It should be noted that because of constant harassment, surveillance, detention and personal and house searches, many of the human rights activists have chosen to emigrate to Western Europe when given the chance to do so, including Dr. Martin Hybler and his wife, Ivana Hyblerova, Jan Bednar and Jiri Bednar - sons of Otto Bednarova, Zina Freundova and Jaroslav Suk. Others were permitted to stay abroad for professional reasons. However, while abroad, the Czechoslovak government withdrew their citizenship and the persons concerned cannot return to Czechoslovakia, as was the case of Prof. Julius Tomin and his wife, Zdena Tominova, who are now in Great Britain. Several dozen human rights activists are known to have emigrated within the last two years. Those, who remain in Czechoslovakia, are being severely harassed and have shown much courage and determination in carrying on with their activities.

A. Still imprisoned:

UHL, Petr, born October 8, 1941, mechanical engineer, married, two children (wife Anna Sabatova, daughter of Dr. Jaroslav Sabata, Charter 77 signatory, who also served a prison term in Litomerice in 1979-1980). Charter 77 signatory and member of VONS. Arrested on May 29, 1979, sentenced on October 23, 1979 to five years of loss of freedom under para 98 (subversion) of the Czechoslovak Penal Code. According to latest report is very ill, without adequate medical attention.

Serving his sentence: PS 1/6 PSC 78953, Mirov prison (restricted conditions).

HAVEL, Vaclav, born October 5, 1936, internationally known playwright, married. Charter 77 signatory and its initial spokesman (with Prof. Jan Patocka and Dr. Jiri Hajek), member of VONS. Arrested on May 29, 1979, sentenced on October 23, 1979 to four and one-half years of loss of freedom under para 98 (subversion) of the Czechoslovak Penal Code. Havel submitted a request for a conditional release upon serving half of his sentence. On December 2, 1981, the Court in Plzen rejected his request. Served over two years of his sentence as Prisoner No. 9658/A2, NVU, Hermanice, near Ostrava.

Transferred to: Plzen-Bory prison in the fall of 1981.

BENDA, Vaclav, born August 8, 1946. Philosopher and mathematician. Married, five children. Charter 77 signatory and its spokesman in 1979. Member of VONS. Arrested on May 29, 1979, sentenced on October 23, 1979 to four years of loss of freedom under para 98 (subversion) of the Czechoslovak Penal Code. Served in Hermanice prison, near Ostrava, as prisoner No. 9654/A2.

In the summer of 1981 transferred to Lipkovice prison for juveniles in order for authorities to have more control over him and to keep him in isolation.

CERNY, Albert, born February 4, 1937, actor, two children. Charter 77 signatory, member of VONS. Arrested on March 26, 1979, sentenced in November, 1979 to three and one-half years of loss of freedom under para 98/1 (subversion) of the Czechoslovak Penal Code for distributing Charter 77 materials.

Serving his sentence in: MS prison, Brno-Bohunice PS 37.

ZMATLIK, Jan, age 34, sociologist, single. Charter 77 signatory. Arrested on August 31, 1978, tried on July 10, 1979, sentenced to three and one-half years of loss of freedom under para 98/1, sec. 7 (preparation to commit subversion of the Republic and preparing to distribute "anti-state" materials) of the Czechoslovak Penal Code. An Appeal was denied on October 25. 1979 but sentenced was reduced to two and one-half years.

Serving his sentence in: Plzen-Bory prison.

PITOR, Frantisek, age 61, worker, married. Charter 77 signatory. Arrested in June, 1977, sentenced in 1978 to three years of loss of freedom under para 100 (incitement) of the Czechoslovak Penal Code - for distributing Charter 77 materials.

Serving his sentence in: Plzen-Bory prison.

KRUPICKA, Vladislav, age 40, worker, single. Charter 77 signatory. Sentenced on December 21, 1978 to two years of loss of freedom under para 203 (parasitism) of the Czechoslovak Penal Code, and under Public Law No. 150/69/Sb., para 8, letter c, for acting against work rules. Sentenced to 2nd prison category (restricted conditions). Krupicka was in the past twice subjected to Court proceedings for "damaging the interest of the Republic abroad" (para 112 of the Czechoslovak Penal Code) for sending articles to RFE about the conditions in Czechoslovakia. He spent two years in prison (Plzen-Bory, 1973-1975). On January 11, 1979, Krupicka was asked to emigrate, but refused. He started to serve his sentence on April 17, 1979. No other details available.

UMLAUF, Vaclav, age 22 worker in Most mines. Charter 77 signatory. Arrested on March 10, 1980 while his apartment was being searched. Tried on May 23, 1980, sentenced to three years of loss of freedom under para 100 (incitement) of the Czechoslovak Penal Code, and para 112 (damaging the interest of the Republic abroad) of the Czechoslovak Penal Code. (He possessed religious literature published abroad, and was charged with distributing "anti-state" literature. He also criticized the Soviet invasion of Afghanistan). No other details available.

OURODA, Josef, age 27, worker. Charter 77 signatory. Sentenced in May, 1980 to two years of loss of freedom, under para 100 (incitement) of the Czechoslovak Penal Code and para 112 (damaging the interests of the Republic abroad) of the Czechoslovak Penal Code. (Distributed Charter 77 material, criticized the situation in the CSSR and allegedly had contact with foreign radio stations). Imprisoned probably in a prison in Most. No other details available.

BATTEK, Rudolf, born on November 2, 1924. Charter 77 signatory and its spokesman, founding member of VONS. Detained since June, 1980. Sentenced on July 28, 1981 to seven and one-half years of loss of freedom under para 98/1 and 2, letters a) and b) (subversion, in collusion with a foreign power) of the Czechoslovak Penal Code and to three years of "house arrest" or "internal exile" after his prison term. Appeals Court in Prague on October 8, 1981, reduced the sentence to five and one-half years of imprisonment and confirmed the three years of restricted activity. In very poor health. The Austrian Chapter of Amnesty International in Graz tried to deliver medicine to Battek, but was turned away by the border guard at the Czechoslovak-Austrian border. Served his sentence originally in Prague-Ruzyne prison, was transferred in November, 1981 to a prison in Opava, which is reserved for juveniles. He was placed in a cell together with convicted murderers. Very ill, may not survive imprisonment. Battek is a sociologist. He has been persecuted since 1969 with detentions, imprisonments, house searches, interrogations and surveillance. He spent 13 months in prison in 1970 and in 1972 was sentenced to three and one-half years of imprisonment for urging citizens to exercise their right to abstain from voting.

Serving his sentence in a prison in Opava.

LITOMISKY, Jan, born August 19, 1943, agronomist. Charter 77 signatory and a leading member of VONS. Detained on February 17, 1981 for allegedly preparing to subvert the Republic (para 98 of the Czechoslovak Penal Code) and charged also with "anti-state" activities as a member of VONS. Sentenced on October 23, 1981 to three years of imprisonment and two years of "internal exile" (or house arrest). The Appeals Court in December of 1981 upheld the sentence because Litomisky was also charged with "harming the interests of the Republic abroad."

Serving his sentence in Plzen-Bory prison.

On July 14, 1982, Jan Litomisky was permitted to leave the prison for a few hours to attend the funeral of his father. Others who were present at the funeral were shocked by his sickly appearance, loss of weight; the prison made him a broken man. Letters were sent to the authorities to check into the prison conditions.

GRUNTORAD, Jiri, born September 21, 1952, former editor of underground magazine "Forum", Charter 77 signatory and member of VONS. While serving a two year sentence under para 109 (attempting illegal departure from the Republic), was sentenced on July 8, 1981 to four years of imprisonment and to three years of "house arrest" under para 98 (subversion) of the Czechoslovak Penal Code (for trying to smuggle a letter from prison to friends in the West asking for help and for activities in VONS). The Supreme Court in Prague on October 15, 1981 upheld the sentence.

Serving his sentence in Minkovice prison (stricter conditions).

CERNEGA, Jiri, born August 16, 1956. Charter 77 signatory. Sentenced on January 27, 1981 to six months imprisonment under para 103 (slandering the Republic and its representatives) of the Czechoslovak Penal Code. On March 12, 1981, the Appeals Court doubled the sentence to one year of loss of freedom. No other details available.

SANTORA, Petr, born July 17, 1955. Charter 77 signatory. Sentenced on July 12, 1980 to one year of imprisonment for alleged "incitement" (para 100 of the Czechoslovak Penal Code), for distributing material "hostile to the State." The Appeals Court, which held its hearings in the fall of 1980, extended the sentence to 18 months of loss of freedom.

Serving his sentence in Plzen-Bory prison.

DOLEJS, Antonin and wife, DOLEJSOVA, Blanka, sentenced on March 24, 1981; Dolejs to ten months imprisonment in the 2nd prison category (restricted conditions) under para 155/1 (attacking a public official) of the Czechoslovak Penal Code and his wife, Blanka Dolejsova to 15 months suspended sentence for three years. Sentence upheld on September 17, 1981 by the Appeals Court. No other details available.

CVRCKOVA, Lenka, student, age 22, was in Poland in August, 1980, became involved in Polish student movement. During the student strike in Lodz in January and February, 1981, edited the student periodical "Strike". Arrested in Poland. On February 18, 1981 was brought across the Polish-Czechoslovak border and handed over to the Czechoslovak authorities. Charged with "subversion" under para 98 of the Czechoslovak Penal Code, and with "harming the state of the world socialist order" under para 99 of the Czechoslovak Penal Code. Trial was supposed to have been held in August, 1981. No other details available.

Probably held at Prague-Ruzyne prison.

KOZISEK, Ivan, born September 22, 1948. Charter 77 signatory. Detained on August 31, 1981 for writing an open letter to President Husak, requesting the release of Rudolf Battek and for collecting signatures for that letter. Charged originally under para 165/1 (expressing agreement with a criminal's offense) and under para 166/1 and 2 (favoritism). However, the Court on December 12, 1981 sentenced Kozisek to seven months imprisonment under para 154/2 (attack on a state organ) of the Czechoslovak Penal Code. The sentence to be served in a prison of the 1st category. No other details available.

CEROVSKY, Zbynek, detained November 9, 1981 and charged with "incitement" (para 100 of the Czechoslovak Penal Code) for writing offensive letters against the authorities and for including offensive remarks in his official request for permission to emigrate. Tried on March 9, 1982 and sentenced to two years of imprisonment in the 2nd prison category (stricter conditions). Appeals Court in Pardubice upheld the sentence but changed the prison category to No. 1. No other details available.

POSPICHAL, Petr, born April 16, 1960, printer. Charter 77 signatory. Served 11 months in prison from May, 1978 to Maya, 1979 for alleged "incitement" (para 100 of the Czechoslovak Penal Code). Harassed in August, 1980 before the start of the Madrid Conference. Beaten during interrogations on September 12, 1980 and October 7, 1980. Detained in April, 1982 and charged with "inciting" (para 100/1a of the Czechoslovak Penal Code) while serving in the armed forces. In a trial on May 26, 1982, the Military Court in Strasice sentenced Pospichal to one and one-half years of loss of freedom in the 2nd prison category (stricter conditions). The Higher Military Court in Pribrami upheld the sentence. No other details presently available.

HRABINA, Jan, born January 1, 1954, worker. Charter 77 signatory. Detained on May 4, 1981, sentenced on June 14, 1981 to 30 months imprisonment, under para 269/1 (for failing to report for additional five months military service after completing 19 months of basic training) of the Czechoslovak Penal Code. The Higher Court in Pribrami on January 12, 1981 upheld the sentence.

Serving his sentence in Plzen-Bory prison.

KANIA, Walter, while serving a sentence in Mirov prison, Kania was sentenced again on March 22 and March 26, 1981 to two years of imprisonment in the 2nd prison category for allegedly preparing to damage the interest of the Republic abroad (sec. 7 of Para 112 of the Czechoslovak Penal Code), by writing a personal letter to Dr. Jaroslav Krejci, Charter 77 signatory, living in Vienna, Austria. No personal data available.

Serving his sentence in a prison in Ostrov nad Ohri.

DVORAK, Jaroslav, age 49, technician. Charter 77 signatory. Imprisoned since January 12, 1978 for allegedly preparing and assisting an illegal departure from the Republic and allegedly preparing subversion of the Republic (1st offense under para 109; second offense under para 98 of the Czechoslovak Penal Code). Sentenced to three years imprisonment in the 2nd prison category. While in prison, accused of damaging the interest of the Republic abroad under para 112/8/1. On March 22 and March 26, 1981, sentenced to 16 months imprisonment. Health impaired.

Serving his sentence in a prison in Vinarice, near Kladno.

JIROUS, Ivan, born September 23, 1944. Member, Plastic People of the Universe, Charter 77 signatory; sentenced in 1974 and 1976 and again in 1978 for "hooliganism" (spent 18 months in prison). Detained on November 10, 1981 under para 202/2 (hooliganism) of the Czechoslovak Penal Code for publishing the "unofficial" magazine VOKNO (Window). Tried on June 18, 1982 and sentenced to three and one-half years of imprisonment in the 3rd prison category (strictest) and to two years of "house arrest". The Appeals Court on September 27, 1982 upheld the sentence.

Probably still in prison in Usti nad Labem.

STAREK. Frantisek, born December 1, 1952. Technician. Charter 77 signatory. Detained for six months in 1976 and sentenced to four months imprisonment for "hooliganism". Detained on November 10, 1981 under para 202/2 (hooliganism) of the Czechoslovak Penal Code for publishing the "unofficial" magazine VOKNO (Window). Tried on June 18, 1982 and sentenced to two and one-half years of imprisonment in the 2nd prison category (stricter conditions) and to two years of "house arrest". On September 27, 1982 the Appeals Court upheld the sentence.

Probably still in prison in Usti nad Labem.

HYBEK, Milan (Michal), born in 1956; student of chemistry. Detained on November 10, 1981 under para 202/2 (hooliganism) of the Czechoslovak Penal Code for publishing the "unofficial" magazine VOKNO (Window). Tried on June 18, 1982 and sentenced to 18 months imprisonment in the 1st prison category. On September 27, 1982, the Appeals Court upheld the sentence.

Probably still in prison in Usti nad Labem.

FRIC (FRYC), Milan, born in 1935; employee of State Fisheries. Detained on November 10, 1981, under para 202/2 (hooliganism) of the Czechoslovak Penal Code for publishing the unofficial magazine VOKNO (Window). Tried on June 18, 1982 and sentenced to 15 months imprisonment in the 1st prison category. On September 27, 1982 the Appeals Court upheld the sentence.

Probably still in prison in Usti nad Labem.

WUNSCH, Jan, born in 1957, Charter 77 signatory. Detained on January 21, 1982. Originally charged under para 100 (incitement) of the Czechoslovak Penal Code for distributing leaflets calling on citizens of Czechoslovakia to show solidarity with Polish workers. The charge was reclassified under para 98 (subversion) of the Czechoslovak Penal Code. The leaflets also spoke of the similarity of objectives between the "struggle of Polish workers and the 1968 Prague Spring" which was crushed by Soviet troops. Wunsch is also accused of having links with "subversive elements" in Poland. The trial, which was supposed to take place in Prague the first week of September, 1982, was postponed.

Detained in Prague-Ruzyne prison.

WUNSCH, Josef, born in 1962 (brother of Jan Wunsch). Detained on January 21, 1982 and charged under para 100 (incitement) of the Czechoslovak Penal Code for distributing leaflets calling on citizens of Czechoslovakia to show solidarity with Polish workers. The charge was reclassified under para 98 (subversion) of the Czechoslovak Penal Code.

Detained in Prague-Ruzyne prison.

SOUKUP. Vaclav, born in 1959. Detained on January 21, 1982 and charged under para 100 (incitement) of the Czechoslovak Penal Code for distributing leaflets calling on citizens of Czechoslovakia to show solidarity with Polish workers. The charge was reclassified under para 98 (subversion) of the Czechoslovak Penal Code.

Detained in Prague-Ruzyne prison.

TUMOVA, Jitka, born 1961. Detained on January 21, 1982 and charged under para 100 (incitement) of the Czechoslovak Penal Code for distributing leaflets calling on citizens of Czechoslovakia to show solidarity with Polish workers. The charge was reclassified under para 98 (subversion) of the Czechoslovak Penal Code.

Detained in Prague-Ruzyne prison.

BARTOSEK, Karel, age 52, historian, now factory worker. Charter 77 signatory, was supposed to have been tried in July, 1982 for criticizing the imposition of martial law in Poland. Charged with "incitement to rebellion". This stems from a discussion with a passenger in a taxicab, who disagreed with him. Bartosek was detained for six months in 1972 before receiving a one-year sentence (suspended) for giving a public lecture about the "Prague Spring". Bartosek is married to a French citizen, who lives with their two daughters in France. Bartosek recently applied for permission to emigrate. No other details presently available.

JAVORSKY, Jaroslav, age 35. Emigrated to Germany with his family. Later returned to Czechoslovakia to gain permission for his fiancee to emigrate. When he was refused, he smuggled his fiancee out of Czechoslovakia, but was caught at the Bulgarian-Turkish border. Extradited to Prague in 1977. Charged under para 109/3 (organizing illegal departure from the Republic) and under para 105 (spying) of the Czechoslovak Penal Code. Tried and sentenced for espionage to 13 years of imprisonment. No other details available.

FIALA, Jaroslav, soldier (other personal data not known). Imprisoned since February, 1980, under para 103, 104, 198 and 276 (belittling the esteem of the President, disgracing the state, race and nation, etc.). Sentenced to two years of imprisonment.

Serving his sentence in Plzen-Bory prison.

LENHART, Josef, age 25, worker, sentenced for attempting an illegal departure from the Republic (para 109 of the Czechoslovak Penal Code). Wanted to emigrate to Austria. Imprisoned since June, 1980.

Probably in Plzen-Bory prison.

OLIVA, Otman, age 30, sculptor. While in military service, his apartment was searched and Charter 77 materials were confiscated. In March, 1980, sentenced to 20 months imprisonment under para 100 (incitement) of the Czechoslovak Penal Code. No other details available.

PROCHAZKA, Vaclav, Charter 77 signatory; detained on June 3, 1980 for alleged "favoritism" (para 166 of the Czechoslovak Penal Code) for sending to his former wife, who lives abroad, some personal documents. During an apartment search, the police confiscated Charter 77 materials, VONS Bulletins and samizdat literature. Sentenced on August 29, 1980 to eight months imprisonment. No other details available.

ROMER, Josef, age 27, sentenced for alleged spying (para 105 of the Czechoslovak Penal Code) to 11 years of imprisonment. No other details available.

Serving his sentence in Plzen-Bory prison.

TOMES, Jindrich, worker, singer, Charter 77 signatory. Detained since June, 1980 under para 202/1 (hooliganism) of the Czechoslovak Penal Code. Sentenced in November, 1980, to one year imprisonment under para 202/1 (for singing "unauthorized" songs). No other details available.

DOBROVDSKY, Adrian, age 30, Charter 77 signatory. Sentenced in July, 1980 to 18 months imprisonment for copying and disseminating "anti-state" literature (para 100 - incitement - of the Czechoslovak Penal Code) and for "influencing" other people to take part in these activities. No other details available.

DOBROVSKY, Lubos, former correspondent of the CTK in Moscow. Arrested in January, 1981, after a police search of his apartment. No other details available.

VALKOVIC, Jan, age 60, locksmith. Sentenced on October 19, 1979 to one year imprisonment under para 100 (incitement) of the Czechoslovak Penal Code, to second prison category. He was also ordered to undergo psychiatric treatment. On November 12, 1979, the Appeals Court upheld the sentence. No other details available.

STEJSKAL, Tomas, age 24, detained in December, 1977, sentenced to three years of imprisonment for "failing to prevent someone from committing a criminal offense" (para 167/1) and for preparing an illegal departure from the Republic (sec. 7/1 of Para 109/1 of the Czechoslovak Penal Code). No other details available.

TERA, Miroslav, sentenced to 24 months imprisonment under para 100 (incitement). Tera protested the sentence in October, 1979, by staging a hunger strike. Tried again in February, 1980 and sentenced to a total of 26 months of imprisonment. The "incitement" charge was based on Tera's distributing leaflets and non-conformist publications. No other details available.

Probably in Plzen-Bory prison.

BREZINA, Frantisek, detained with wife and child on the Hungarian-Yugoslav border. Sentenced to four years of imprisonment under para 109 (illegal departure from the Republic) and for alleged fraud (para 250 of the Czechoslovak Penal Code) for selling his apartment and his furniture before leaving the Republic.

Serving his sentence in Plzen-Bory prison.

CHMEL, Elmer, age 42, sentenced to seven years of imprisonment under para 98 (subversion) and para 156 (attacking a state organ) of the Czechoslovak Penal Code. Allegedly distributed leaflets and literature. Staged several hunger strikes. No other details available.

Probably in Mirov or Pankrac prison

STRASNOV, Jindrich, age 32, customs officer, sentenced to 20 months of imprisonment for incitement (para 100 of the Czechoslovak Penal Code). Supposedly kept books from abroad at the customs house for distribution. No other details available.

Probably in Plzen-Bory prison.

VALASEK, Josef, age 42, employee of a military establishment. Sentenced to 16 months of imprisonment under para 100 (incitement). No other details available.

ZAMEC, Jan, age 29, locksmith. Sentenced to 18 months of imprisonment under para 109 (attempting illegal departure from the Republic). Tried to cross the border to West Germany. No other details available.

ZEMLICKA, Viktor, sentenced to 18 months imprisonment under para 100 (incitement) of the Czechoslovak Penal Code. No other details available.

JAROS, Jaroslav, physician in the military; sentenced in 1980 to two and one-half years of imprisonment, "because he did not want to perform his duties." No other details available.

Probably in Plzen-Bory prison.

PETRU, Miroslav, sentenced on October 27, 1981 to 16 months imprisonment for "criticizing the situation in Czechoslovakia." No other details available.

RATAJ, Jiri, sentenced on October 27, 1981 to 15 months imprisonment for "criticizing the situation in Czechoslovakia." No other details available.

VOLEJNIK, Josef, sentenced on October 27, 1981 to 10 months imprisonment for "criticizing the situation in Czechoslovakia." No other details available.

KLIER, Josef, age 30, railway worker, sentenced on January 5, 1979 to two years of loss of freedom under para 175 (false testimony) of the Czechoslovak Penal Code (testified in the case of Jiri Chmel). No other details available.

OUDA, Petr, Charter 77 signatory. Sentenced on January 5, 1979 to two years of loss of freedom under para 175 (false testimony) of the Czechoslovak Penal Code. (Testified in the case of Jiri Chmel). No other details available.

KALINOVSKY, Edward, Polish citizen, age 22. Detained on April 30, 1981 at the Austrian-Slovak border; charged with having printed material of "anti-state" character, even though the authorities did not prove that he was in contact with Czechoslovak citizens. Sentenced in Bratislava on November 9, 1981 to 16 months imprisonment, unconditionally. No other details available.

B. Released from prison:

BEDNAROVA, Otta, age 54, journalist. Charter 77 signatory and member of VONS. Arrested May 29, 1979, sentenced October 23, 1979 to three years of imprisonment under para 98 of the Czechoslovak Penal Code (subversion). Because of ill health was imprisoned in: Ustav SNV, CSR, PS 115/0 736 49 Opava.

Released on September 27, 1980, for an "interruption of her prison term," after her two sons, Jan and Jiri Bednar issued an international appeal for her release, which was supported by several international organizations.

CERNY, Miroslav, age 52, worker, Charter 77 signatory. Arrested in March 1977, tried later in the year and sentenced to three years of loss of freedom under para 100 (incitement) of the Czechoslovak Penal Code for posting posters and supporting Charter 77. Was imprisoned in Mirov prison (second prison category, restricted conditions).

Released in summer, 1980.

MACHACEK, Ales, age 36, agricultural engineer and planner. Married, two children. Charter 77 signatory. Arrested in January of 1977, later sentenced to three and one-half years of loss of freedom under para 98 (subversion) of the Czechoslovak Penal Code (distributing material published abroad). Was imprisoned in Plzen-Bory prison.

Released: July 23, 1980.

DANISZ, Josef, age 54, attorney, married. Took on the defense of several Charter 77 signatories and Charter 77 spokesmen, such as Jaroslav Sabata, Vaclav Havel, Jiri Chmel, Jiri Grusa, Tomas Petrivy and others. Expelled from Prague Association of lawyers. Sentenced on January 14, 1980 to ten months of loss of freedom and banned for two years from conducting his professional activities. Charged under para 154/2 and 156/2 of the Czechoslovak Penal Code (insulting a state organ and a state official). Served his sentence in a prison in Hradec Kralove.

Released in the fall of 1980.

HEGR, Josef, (personal data not available), detained in October, 1978. Sentenced on January 5, 1979 to 18 months of loss of freedom under para 175 (false testimony) of the Czechoslovak Penal Code (testified in the case of Jiri Chmel). Served his sentence in a prison in Most.

Released in the summer of 1980.

HOLOTOVA, Ivana, age 22, office worker, Charter 77 signatory. Detained in October, 1978. Sentenced on January 5, 1979 to 14 months of loss of freedom under para 175 (false testimony) of the Czechoslovak Penal Code (testified in the case of Jiri Chmel). Was imprisoned in a prison in Most.

Released in summer, 1980.

SABATA, Jaroslav, age 55, psychologist and university instructor. Charter 77 signatory and its spokesman. Arrested on October 1, 1978 while on his way to a meeting with Polish human rights activists at the Czechoslovak-Polish border. Sentenced under para 155, 156 and 157/2 (attack on a public official) of the Czechoslovak Penal Code to nine months imprisonment. However as of July 1, 1979, he had to serve the remainder of a previous sentence of one and one-half years. Served his sentence in strict isolation in: PS 79, 412 81 Litomerice prison. Altogether, he spent seven years in Czechoslovak prisons for "anti-state" activities.

Released on December 12, 1980.

PETRIVY, Tomas, age 27, Slovak student. Charter 77 signatory. Arrested on October 1, 1978, with Dr. Sabata, at the Czechoslovak-Polish border. Released after 50 hours of interrogation. Re-arrested in March, 1979 and released after several weeks of detention. Arrested again on December 7, 1979 and sentenced on September 4, 1980 by the District Court in Usti nad Orlici to two years of imprisonment for "attacking a public official" (para 155, 156 and 157/2 of the Czechoslovak Penal Code) and for "evading" military service. Served his sentence in Zeliezovice prison in Slovakia.

Released on May 4, 1981, conditionally for two years.

VOLF (Wolf), Jiri, age 30, worker, married, one child. Charter 77 signatory. Arrested in February, 1978. Tried in the fall of 1978 and sentenced to three years of loss of freedom under para 98/1 (subversion) of the Czechoslovak Penal Code. Served his sentence in Minkovice prison (stricter conditions).

Released on August 23, 1981.

CIBULKA, Petr, age 32, single, worker, Charter 77 signatory. Arrested on April 7, 1978. Later sentenced to two years of loss of freedom under para 100 (incitement) of the Czechoslovak Penal Code (organizing concerts of non-conformist music and distributing Charter 77 material). Staged three hunger strikes in prison against prison conditions. Sentence extended for six months under para 171 of the Czechoslovak Penal Code (refusing to carry out his duties). In a special trial on January 30, 1980 sentence extende for another six months uder para 159/69/Sb (Obstructing the carrying out of official duties). However, Cibulka won his appeal against the second extension of his sentence, the first such case concerning a political prisoner. Served his sentence in Minkovice prison, near Liberec (stricter conditions).

Released on April 15, 1981.

SAVRDA, Jaromir, age 49, writer, Charter 77 signatory. Married, wife Dolores Savrdova. Arrested on September 15, 1978, tried in August, 1979 (trial lasted five days). Sentenced to two and one-half years of loss of freedom under para 100 (incitement) of the Czechoslovak Penal Code (for copying and distributing Charter 77 material and samizdat literature "Edice/Petlice"). Health seriously impaired including tuberculosis, heart and kidney complication. Serviced his sentence in Ostrava prison.

Released in April, 1981.

(On September 24, 1982, Savrda was detained after a house search conducted by police. Resulted in the confiscation of Charter 77 materials, books, personal correspondence and two typewriters. There is fear that Savrda is not strong enough to endure renewed imprisonment. He is currently being detained in a prison in Ostrava.)

SKALA, Pavel, age 28, worker, married, two children. Charter 77 signatory. Arrested on January 20, 1978, tried April 16, 1978, sentenced to one year imprisonment under para 109 (preparation to leave the Republic without official permission) of the Czechoslovak Penal Code. Released in January, 1979. Arrested again on September 17, 1979, tried under para 261 (support of fascism) of the Czechoslovak Penal Code and for obstructing the carrying out of official duties. Sentenced to 10 months of loss of freedom, started to serve his sentence on March 18, 1980.

Released on January 18, 1981.

DIENSTBIER, Jiri, born April 20, 1937, journalist, married, four children. Charter 77 signatory and its spokesman, member of VONS. Arrested on May 29, 1979 with nine other members of VONS. Sentenced on October 23, 1979 to three years of loss of freedom under para 98 (subversion) of the Czechoslovak Penal Code. Served his sentence as prisoner No.9657/A2 in NVU Hermanice, near Ostrava.

Released on May 29, 1982.

SINOGLOVA, Drahomira, born May 17, 1951, mother of three children, ages 10, 8 years and six months. Sentenced on September 30, 1980 to one year imprisonment under para 100 (incitement) of the Czechoslovak Penal Code, for reproducing and distributing "unofficial" literature. Sinoglova was pregnant with her third child in September, 1980 and her imprisonment was postponed.

Later in 1981 Sinoglova became pregnant again and despite her requests for postponement, she was brutally dragged from her apartment by the police on March 1, 1982 and taken to prison in Brno-Bohunice. Her imprisonment was protested by many people around the world. She was granted amnesty by President Husak, the first such case involving a political prisoner.

Released from prison on March 31, 1982.

The following citizens were detained with the arrest of two French citizens on the Czechoslovak/Austrian border (Gilles Thonon and Francoise Anise) and later released:

HOREC. Jaromir, Dr., born December 18, 1921, poet and publicist; detained in May, 1981 and charged with subversion in collusion with a foreign power (para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code). Supposedly made a "full confession", which was to be used against the other detainees.

Released in October, 1981.

KANTURKOVA, Eva, born May 11, 1930, author, Charter 77 signatory. Detained on May 6, 1981, and charged with subversion in collusion with a foreign power (para 98/I and 2, letters a) and b) of the Czechoslovak Penal Code). Detained in Prague-Ruzyne prison.

Released on March 22, 1982, however, charges were not dropped.

SIKOVA, Jirina, born June 17, 1935, sociologist. Detained on May 6, 1981 and charged under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power). Detained in Prague-Ruzyne prison.

Released on March 22, 1982, however, charges were not dropped.

KYNCL, Karel, born January 6, 1927, journalist and publicist. Charter 77 signatory. Served 20 months in prison in 1972. Detained on May 6, 1981, and charged under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power). Amnesty International also appealed his case because of very poor health. Detained in Prague-Ruzyne prison.

Released on March 22, 1982, however, charges were not dropped.

RUML, Jan, born March 5, 1953, worker (son of Jiri Ruml), Charter 77 signatory and member of the collective of Charter 77 spokesmen; member of VONS. Detained on May 6, 1981 and charged under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power). Detained in Prague-Ruzyne prison.

Released on March 22, 1981, however, charges were not dropped.

RUML, Jiri, born July 8, 1925, journalist and publicist (father of Jan Ruml). Charter 77 signatory and member of VONS. Detained on May 6, 1981 and charged under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power). Spent over one year in detention in Prague-Ruzyne prison.

Released on May 28, 1982, however, charges were not dropped.

SIMECKA, Milan, Dr., born March 6, 1930, philosopher and publicist. Detained on May 6, 1981, and charged under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power). Spent over one year in detention in Prague-Ruzyne prison.

Released on May 28, 1982, however, charges were not dropped.

MLYNARIK, Jan, Dr., born February 11, 1933, Slovak historian, Charter 77 signatory. Detained on May 6, 1981 and charged under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power). Detained in Prague-Ruzyne prison originally, later transferred to a military prison in Trencin, Slovakia, where he was supposed to have been tried by a military Court.

Released on May 29, 1982, however, charges were not dropped.

Released from prison, permitted to emigrate:

BREZINA, Ales, age 34, sanitary worker, former student of theology. Charter 77 signatory. Charged under para 269/1 of the Czechoslovak Penal Code for allegedly "not reporting for military service." Sentenced in April, 1977 to two and one-half years of imprisonment.

Released in the fall of 1980. Permitted to emigrate to Canada, where he arrived in October, 1980. Emigration was arranged with the assistance of Amnesty International.

SOUKUP, Karel, born January 22, 1951. Charter 77 signatory and member of the Collective of Charter 77 spokesmen. Detained in July, 1980, sentenced in November, 1980 to 10 months imprisonment for "hooliganism" (para 202/1 of the Czechoslovak Penal Code) for singing "unauthorized" songs. After his release in August, 1981, was severely beaten in September, 1981. Requested permission to emigrate, which was granted. However, before he could leave the country with his family, the District Prosecutor in Prague charged him with "incitement" under para 100 of the Czechoslovak Penal Code. The trial was set for February 2, 1982. However, he was unexpectedly released and permitted to emigrate.

Arrived in France with his wife and three children on March 10, 1982.

NEPRAS, Vladimir, Dr., born April 9, 1929, worker, former journalist and editor of the magazine "Reporter." Detained on July 23, 1981 for alleged "incitement" (para 100 of the Czechoslovak Penal Code) and for "contacts with unnamed persons abroad." House search by the STB revealed Charter 77 material and samizdat literature. While in Prague-Ruzyne prison, Nepras was seriously ill.

Released on December 1, 1981 under the condition that he emigrate. Arrived in West Germany with his wife and children in August, 1982.

C. Religious persecution

Imprisoned:

BARTA, Josef, Rev., detained on November 19, 1980 under para 178) obstructing state supervision over churches and religous institutions); released on February 20, 1981, while criminal prosecution continued. Sentenced on April 6, 1982 to 18 months of loss of freedom. No other details presently available.

LIZNA, Frantisek, born August 11, 1941, Jesuit priest, Charter 77 signatory. On September 29, 1981 sentenced to 20 months imprisonment under para 118 (unauthorized business venture) of the Czechoslovak Penal Code. Sentence upheld by the Appeals Court on November 26, 1981. On January, 21, 1982, the Sixth District Court in Prague staged another trial of Lizna under para 112 (harming the interests of the Republic abroad) of the Czechoslovak Penal Code, and sentenced him to an additional seven months imprisonment. Lizna appealed the sentence, however, it was upheld on April 2, 1982.

Serving sentence in Plzen-Bory prison under difficult conditions as a cutter of artificial stones; cannot send or receive mail or family visits; receives no parcels and has to work up to 12 hours a day for "not fulfilling work norms."

DUKA, Jaroslav, Dominik, Catholic priest; detained July 24, 1981; indicted under para 112 (harming the interests of the Republic abroad). Sentenced on December 18, 1981 to 15 months imprisonment under para 178 (obstructing the state supervision over churches and religious institutions) of the Czechoslovak Penal Code: The sentence was upheld by the Appeals Court on October 12, 1981. During a search of his apartment, the police confiscated religious literature, some of it published abroad. Duka worked as a worker in the Skoda Works, Plzen.

Serving his sentence in Plzen-Bory prison.

ADAMEK, Josef, born August 27, 1914, retired printer, active in religious affairs. Charter 77 signatory. On September 29, 1981, sentenced to 20 months imprisonment under para 118 (unauthorized business venture) of the Czechoslovak Penal Code for producing and distributing unofficial religious literature (he was detained in 1979 for similar activities). On November 26, 1981, the Appeals Court reduced the sentence to 14 months imprisonment.

KRUMPHOLC, Jan, born June 3, 1927. Worker. Sentenced on September 29, 1981 to three years imprisonment under para 118 (unauthorized business venture) of the Czechoslovak Penal Code for producing and distributing unofficial religious literature. He was detained in 1979 for several days for similar activity; the police, at that time, confiscated two truckloads of paper and stencils, as well as 300 copies of the History of the Roman Catholic Church in Bohemia and Moravia; (Krumpholc and his wife were imprisoned for similar activities in the 1950's). The Appeals Court on November 26, 1981 upheld the sentence.

SMAHEL, Rudolf, born May 11, 1950, Jesuit priest, now a worker. Sentenced on September 29, 1981 to two years of imprisonment under para 118 (unauthorized business venture) of the Czechoslovak Penal Code, for producing and distributing unofficial religious literature (was detained in 1979 for similar activities). The Appeals Court on November 26, 1981 upheld the sentence.

VLCEK, Josef, born June 6, 1920, warehouseman. Sentenced on September 29, 1981 to 20 months imprisonment under para 118 (unauthorized business venture) of the Czechoslovak Penal Code, for producing and distributing unofficial religious literature (detained in 1979 for similar activities; was also imprisoned in the 1950's, when he was accused of espionage for the Vatican and sentenced to death; the Appeals Court reduced the sentence to 21 years work in the Jachymov uranium mines, where he spent eight years and was released in the 1960's). The Appeals Court on November 26, 1981 upheld the sentence.

ODSTRCIL, Jan, born January 10, 1921, worker. Sentenced on September 29, 1981 to 10 months imprisonment under para 132 (embezzlement) of the Czechoslovak Penal Code. On November 26, 1981 the Appeals Court returned his case to the lower Court.

ZLATOHLAVY, Anton, born January 28, 1951 in Presov, Slovakia. Sentenced in April, 1981 to two years of imprisonment under para 178 (obstructing the supervision of the state over churches and religious institutions and under para 101 (misusing a religous function) of the Czechoslovak Penal Code.

Serving his sentence in Ilava prison, Slovakia.

POVALA, Gabriel, born October 18, 1917, retired Catholic priest in Zilina, Slovakia. In 1950 sent for five years to a labor camp. In July, 1981 security police investigated Povala and accused him of interfering with state supervision over churches and religious institutions (para 178 of the Czechoslovak Penal Code; Public Law 218/49/Sb in Slovakia). On August 27, 1981 his apartment was searched and the police confiscated his private papers and religious literature. On November 11, 1981, sentenced to eight months imprisonment under para 178 of the Czechoslovak Penal Code. Appeals Court upheld the sentence on February 2, 1982.

HLOZANKA, Radim, born January 4, 1923. On March 30, 1982 sentenced to 20 months imprisonment in the first person category and to a five year ban on his pastoral duties. Charged under para 178 (obstructing state supervision over churches and religious institutions) of the Czechoslovak Penal Code, for copying and distributing "unauthorized" religious literature. Hlozanka has been imprisoned twice in the past. Sentence was appealed.

JAVORSKY, Stefan, Catholic priest. Sentenced on September 17, 1981 in Slovakia to two years of loss of freedom, under para 238 and 231 of the Czechoslovak Penal Code (violation of the freedom of the home and of limiting of personal freedom) for assisting a relative who was being attacked by her husband. On November 26, 1975 Javorsky was sentenced to several months imprisonment under para 101 of the Czechoslovak Penal Code for "misusing" his religious function.

ROMPF, Gunther Matej, 38 years of age, maintenance man. On September 18 and 25, 1981 sentenced to two years of imprisonment under para 178 (obstructing state supervision over churches and religious institutions) for teaching religion to children in his apartment.

Persecuted while free:

KORDIK, Josef, born August 1, 1948, Catholic priest, practicing without state license. Sentenced on September 28, 1981 under para 178 (obstructing state supervision over churches and religous institutions) to one year's imprisonment; suspended for two years.

BISEK, Tomas, priest, Czech Brethren Evangelical Church, Charter 77 signatory. In April, 1981 deprived of his state permit and as of June 1, 1982, cannot perform his duties as a priest. His house has been searched and his family is under surveillance.

DOLISTA, Josef, born in 1954, Catholic priest. On June 7, 1982 the police began investigating the activities of Dolista and accused him of "obstructing state supervision over churches and religious institutions," under para 178 of the Czechoslovak Penal Code. Dolista has, since September 1, 1981, held classes on religion, even though he was ordered to stop this activity, because he has no state permit.

Reportedly released:

KESEGOVA, Emilie, born January 5, 1952, librarian in Bratislava Municipal Library. Sentenced on October 30, 1980 to four months imprisonment for organizing a prayer meeting for seven young people, under para 178 (obstructing state supervision over churches and religious institutions) of the Czechoslovak Penal Code. No other details available.

LABUDA, Jozef, Catholic priest, born March 24, 1949. Sentenced on October 30, 1980 to six months imprisonment for saying mass and for holding a prayer meeting, under para 178 (obstructing state supervision over churches and religious institutions) of the Czechoslovak Penal Code. Worked with Emilie Kosegova. No other details available.

D. Partial list of human rights activists who are being subjected to various forms of persecution and harassment by the Czechoslovak government for their involvement in Charter 77 and VONS activities (including surveillance, interrogation and detention):

HAJEK, Jiri, Dr., born June 6, 1913; graduated from Charles University, Prague. Imprisoned during the German occupation 1939-1945. Entered diplomatic service in 1954; Ambassador to Great Britain and Delegate to the United Nations; Minister of Education and Minister of Foreign Affairs. Expelled from the Communist Party in 1970. One of the original signers of Charter 77 and one of the first spokesmen of Charter 77. Co-author of many Charter 77 documents. Under constant surveillance, detained on many occasions, subjected to lengthy interrogations. Indicted on May 6, 1981 under para 98/1 and 2, letters a) and b) (subversion in collusion with a foreign power) in connection with the detention of two French citizens, Francoise Anise and Gilles Thonon.

KUSY, Miroslav, Dr., born December 1, 1931; graduated from the Philosophical Faculty of the Charles University in Prague; in 1957-1971 lecturer, later professor at the Philosophical Faculty of the Comenius University in Bratislava. Fired for political reasons (in 1968-1969 directed the ideological department of the Central Committee of the Communist Party). Charter 77 signatory, member of the Collective of Charter 77 spokesmen. Indicted on May 6, 1981 under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power) in connection with the detention of two French citizens, Francoise Anise and Gilles Thonon.

JABLONICKY, Jozef, Dr., born 1932, Slovak historian. Former member of the Historical Institute of the Slovak Academy of Sciences. Indicted under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power), in connection with the detention of two French citizens, Francoise Anise and Gilles Thonon. The indictment against Jablonicky was later, in May, 1981, reclassified, and his case is being considered independently under para 112 (harming the interests of the Republic abroad) and under para 103 (demeaning th esteem of the President of the Republic) of the Czechoslovak Penal Code.

MULLER, Jiri, born in 1943; worker and former leader of the student movement. Previously imprisoned for five years. Charter 77 signatory. Indicted on May 6, 1981 in connection with the detention of two French citizens, Francoise Anise and Gilles Thonon, under para 98/1 and 2, letters a) and b) of the Czechoslovak Penal Code (subversion in collusion with a foreign power). Released from detention because the prosecution

"...ascertained that the criminal activities of Jiri Muller are not connected with the criminal activities of the accused Jirina Siklova et al...". Muller has since then been interrogated several times about the production of samizdat literature and about his connection with the Socialist International. On September 2, 1981, he was informed that he is still under indictment under the same para of the Czechoslovak Penal Code, but his case is being considered separately.

HEJDANEK, Ladislav, Dr., born May 10, 1927. Professor, philosopher. Charter 77 signatory and its spokesman. Graduated from the Philosophical Faculty of the Charles University in Prague. Pupil of deceased Prof. Jan Patocka. Fired from his job at the Institute of Philosophy in 1970, forced to work as a night watchman and stoker. Under constant surveillance, often interrogated and subjected to physical abuse. Active in arranging lectures on philosophy - the so-called "Patocka University." After Dr. Tomin's departure for Great Britain, Dr. Hejdanek became the main organizer of these seminars to which lecturers from abroad were invited. The police raided his apartment on December 14, 1981 after the declaration of martial law in Poland. All participants were detained for 48 hours. The police even detained Prof. Jacques Derrida from France, who was one of the visiting lecturers. The seminars were interrupted or "broken up" on many occasions, notably on March 29, 1982 and on May 24, 1982 when the police detained all participants for 20-48 hours.

LIS, Ladislav, born April 24, 1926, Charter 77 signatory and one of its current spokesmen; member of VONS. Lawyer, later worked as a forest ranger and now on disability pension. Harassed, interrogated and detained many times. His wife, Alena Lisova, was recently threatened by an extortionist, who asked for 150,000 in Czechoslovak crowns, or 30,000 new Tuzex crowns or the equivalent in hard currency, and wrote in a letter that Mrs. Lisova has a choice: "...You can either pay the ransom, or inform the police. However, this would mean the death of both of your children...". The police were notified of this blackmail letter sent by an "unknown" person, but no protection was provided to the family. Ladislav Lis has been asked several times to stop his activity in the Charter 77 movement as well as in VONS.

MARVANOVA, Anna, born March 18, 1928. Charter 77 signatory and one of its current spokespersons. Active in journalism and on Czechoslovak radio. Joined the Communist Party when she was 20 years of age and left after Dubcek's downfall. She is handicapped by an incurable spinal disease, but she was forced to work as a dishwasher, newspaper carrier, etc. Since March, 1982, Marvanova and her family have been taken to the police station for interrogation on a regular basis. Marvanova herself has been interrogated every week, often for seven hours at a time.

PALOUS, Radim, Dr., born November 6, 1924, Charter 77 signatory and one of its current spokesmen. On June 13, 1982, Dr. Palous wrote a letter to Dr. Karban, member of State Security, in which he complained about constant harassment by the police of himself and his family, including personal searches, interrogations, house searches and detentions. The police are trying to force Dr. Palous to stop his Charter 77 activities and have already made a statement to the effect that Dr. Palous will resign from Charter 77 because of ill health. Dr. Palous, as well as the other two current spokespersons (Anna Marvanova and Ladislav Lis) refute this statement. During numerous personal and house searches the police confiscated Charter 77 materials, including several documents in preparation.

DIENSTBIER, Jiri, 13 year old son of journalist Jiri Dienstbier (then imprisoned) and Zuzana Dienstbierova, was taken to a police station on April 7, 1982, under the pretext that he had information about a wallet that was supposedly "stolen." He was threatened with having his face slapped if he did not tell the "truth." He was also forced to make a written statement as to what he had done since he left home that day for school. His mother, Zuzana Dienstbierova protested this action in a letter to the Minister of Interior, Jaromir Obzina.

BENDOVA, Kamila, wife of Dr. Vaclav Benda (imprisoned since 1979, presently in Lipkovice prison) and mother of five children, was subjected to a house search which lasted about five hours. The police did not leave until midnight. About 130 articles were confiscated, mainly notes, which were of no value to the police. The search is supposed to have been connected with the arrest of Jan Wunsch, who is being accused of distributing leaflets calling for solidarity with the Polish people. Kamila Bendova met the young man only once or twice several years ago, and has not been in contact with him since. Kamila Bendova has been under constant surveillance ever since the arrest and imprisonment of her husband, Dr. Vaclav Benda.

MALY, Vaclav, born in 1950, Catholic priest, Charter 77 signatory and its former spokesman. Member of VONS. Interrogated and detained on many occasions and physically abused. After the imposition of martial law in Poland, Vaclav Maly, the Charter 77 spokesman in 1981, was detained on December 18, 1981 and kept imprisoned for three days. He was physically abused, asked to stop his Charter 77 activities and threatened that he would become a "victim of an accident," if he should disregard this advice given by the police.

FREUNDOVA, Zina, Charter 77 signatory and a prominent member of VONS, member of the Collective of Charter 77 spokesman. Harassed, interrogated and detained on many occasions for various reasons, mainly for her activities in VONS. On October 12, 1981 two "unknown" men forced their way into her apartment Zina Freundova was beaten, pushed around and threatened with rape. She suffered a concussion and had to be treated in a hospital.

Many other citizens have been persecuted and harassed in one way or another. Some were known members of VONS or Charter 77; others were less known to the public, but were active in the human rights movement. Citizens such as: Jana Prevratska, Vlastimil Tresnak, Tereza Medkova, Ondrej Nemec, David Nemec, Jiri Bednar, Jan Bednar, Vladimir Preisler, Zbynek Benysek, Tomas Liska, Jiri Mrazek, M. Brabcova, Jan Zverina, Petruska Sustrova, Jan Placak, Prof. Zdenek Jicinsky, Olga Havlova and Ivan Havel (the brother of Vaclav Havel and his wife), Dr. Jaroslav Meznik, Karel Holomek, Mojmir Klansky, Prof. Milos Hajek, Anna Sabatova, Jan Sabata, Karol Sidon, Andrej Stankovic, Marketa Nemcova, Tomas Vlasak, Daniel Kumerman, Jan Kozlik, Ales Havlicek, Marketa Hrbkova, Jiri Volf, Ilona Hladikova, Tomas Kopecky, Marta and Roman Hladik, Miroslav Hatala, Mr. and Mrs. Docekal, Prof. Milos Hajek, Dr. Lubos Kohout and many others. Hundreds of citizens were also indicted under para 109 of the Czechoslovak Penal Code (preparing illegal departure from the Republic), however, their cases have not always come to the attention of the public.

Appendix B

IMPRISONED MEMBERS OF THE HELSINKI MONITORING GROUPS IN THE USSR AND LITHUANIA

Updated: August 1982

MOSCOW HELSINKI GROUP

Sentenced

1. Ivan Kovalev -- sentenced on April 2, 1982 to five years of strict regimen camp plus five years internal exile for "anti-Soviet agitation and propaganda.

2. Malva Landa -- sentenced on March 26, 1980, to five years of internal exile for "anti-Soviet slander."

3. Anatoly Marchenko -- sentenced on September 4, 1981, to ten years of special regimen camp plus five years of internal exile for "anti-Soviet agitation and propaganda."

4. Viktor Nekipelov -- sentenced on June 13, 1980, to seven years in labor camp and five years of internal exile for "anti-Soviet agitation and propaganda."

5. Yuri Orlov -- sentenced on May 18, 1978, to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

6. Tatiana Osipova -- sentenced on April 2, 1981 to five years general regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda." (Article 70, RSFSR Criminal Code)

7. Feliks Serebrov --sentenced on July 21, 1981, to four years strict regimen camp plus five years exile for "anti-Soviet agitation and propaganda." (Also a member of the Psychiatric Working Group.) (Sentenced in 1977 to one year in camp.)

8. Anatoly Shcharansky -- sentenced on July 14, 1978, to three years in prison and 10 years in strict regimen camp for "anti-Soviet agitation and propaganda" and "treason." (Article 64-a, RSFSR Code) (Sentenced in October, 1981 to return to prison for three years.)

9. Vladimir Slepak -- sentenced on June 21, 1978, to five years of internal exile for "malicious hooliganism." (Article 206, RSFSR Code)

10. Leonard Ternovsky -- sentenced on December 30, 1980, to three years in general regimen camp for "anti-Soviet slander." (Also a member of the Psychiatric Working Group.)

UKRAINIAN HELSINKI GROUP

Sentenced

11. Oksana Meshko --sentenced on January 6, 1981, to 6 months in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

12. Olha Heyko -- sentenced on August 26, 1980, to three years general regimen camp for "anti-Soviet slander." (Article 187, Ukrainian Code)

13. Vasyl Stus -- sentenced on October 14, 1980, to 10 years in special regimen camp and 5 years of internal exile for "anti-Soviet agitation and propaganda." (Article 62, Ukrainian Code)

14. Vitaly Kalynychenko -- sentenced on May 18, 1980, to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

15. Yaroslav Lesiv -- sentenced on November 15, 1981 to five years of stict regimen camp for "possession of narcotics." (In 1980, he got two-year term for "possession of narcotics.")

16. Vyacheslav Chornovil -- sentenced on June 6, 1980, to five years in strict regimen camp for attempted rape. (Arrested before completion of previous term of six years camp and three years exile.)

17. Ivan Kandyba -- sentenced on July 24, 1981, to 10 years special regimen camp plus five years exile for "anti-Soviet agitation and propaganda."

18. Zinovy Krasivsky -- arrested on March 12, 1980, and transferred directly into labor camp to serve the eight months in camp and five years of internal exile remaining under a 1967 sentence for "anti-Soviet agitation and propaganda" and "treason."

19. Mykola Horbal -- sentenced on January 21, 1980, to five years of camp for "resisting a representative of authority" and attempted rape. (Article 117, Ukrainian Code)

20. Oles Berdnyk -- sentenced on December 24, 1979, to six years in strict regimen camp and three years of internal exile for "anti-Soviet agitation and propaganda."

21. Yuri Lytvyn -- sentenced in April 1982 to ten years of special regimen camp plus five years of exile for "anti-Soviet agitation and propaganda." (In 1979, he got three year-term for "resisting a representative of authority.")

22. Petro Sichko -- sentenced in June 1982 to three years in strict regimen camp for "anti-Soviet slander." (In 1979, he got three-year term for "anti-Soviet slander.")

23. Vasyl Sichko -- sentenced January 4, 1982 to three years strict regimen camp for "possession of narcotics." (In 1979, he got three-year term for "anti-Soviet slander.")

24. Vasyl Striltsiv -- sentenced in October 1981 to six years in camp on unknown charges. (In 1979, he got two-year term for "violation of internal passport laws.")

25. Levko Lukyanenko -- sentenced on July 20, 1978, to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

26. Myroslav Marynovych -- sentenced on March 29, 1978, to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

27. Mykola Matusevych -- sentenced on March 29, 1978, to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

28. Mykola Rudenko -- sentenced on July 1, 1977, to seven years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

29. Oleksy Tykhy -- sentenced on July 1, 1977, to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda" and illegal possession of firearms. (Article 222, Ukrainian Code)

30. Ivan Sokulsky -- sentenced on January 13, 1981 to five years in prison, five years in camp, plus five years of exile for "anti-Soviet agitation and propaganda."

31. Petro Rozumny -- conditionally released from camp early in Fall 1981, but is working on a compulsory labor brigade.

LITHUANIAN HELSINKI GROUP

Died

Rev. Bronius Laurinavicius -- killed (by truck) on November 24, 1981 in Vilnius. (On November 21, 1981, was subject of accusatory article in Tiesa, official Lithuanian newspaper.)

Sentenced

32. Mecislovas Jurevicius -- sentenced on June 25, 1981, to three years of strict regimen camp for "organization of religious processions."

33. Vytautas Vaiciunas -- sentenced on June 25, 1981, to 2 1/2 years of general regimen camp for "organization of religious processions."

34. Vytautas Skuodys -- sentenced on December 22, 1980, to seven years strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda." (U.S. citizen) (Also member of the Catholic Committee.)

35. Algirdas Statkevicius -- sentenced on August 11, 1980, to forcible psychiatric treatment after being arrested on February 14, 1980, reportedly for "anti-Soviet activities." (U.S. citizen)

36. Viktoras Petkus -- sentenced on July 13, 1978, to three years in prison, seven years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda." (Article 68, Lithuanian Code)

GEORGIAN HELSINKI GROUP

Sentenced

37. Merab Kostava -- sentenced on December 15, 1981, to five years in camp for "resisting a representative of authority." (Before completion of previous term of three years camp and two years exile.)

ARMENIAN HELSINKI GROUP

Sentenced

38. Robert Nazaryan -- sentenced on December 1, 1978, to five years in strict regimen camp and two years of internal exile for "anti-Soviet agitation and propaganda" and "resisting a representative of authority." (Articles 65 and 218, Armenian Code) (Transferred in November 1981 to prison for rest of term.)

CHRISTIAN COMMITTEE FOR THE DEFENSE OF BELIEVERS

Sentenced

39. Father Gleb Yakunin -- sentenced on August 20, 1980, to five years in strict regimen camp and five years in internal exile for "anti-Soviet agitation and propaganda."

WORKING COMMISSION ON PSYCHIATRIC ABUSE

Sentenced

40. Irina Grivnina -- sentenced on July 15, 1981, to five years internal exile for "anti-Soviet slander."

41. Anatoly Koryagin -- sentenced on June 5, 1981, to seven years strict regimen camp plus five years of internal exile for "anti-Soviet agitation and propaganda" and for "illegal possession of a firearm."

42. Vyacheslav Bakhmin -- sentenced on September 24, 1980, to three years in general regimen camp for "anti-Soviet slander."

43. Aleksandr Podrabinek -- sentenced on January 6, 1981, to three years in camp for "anti-Soviet slander" (plus time remaining from his August 1978 term of five years of exile)

Leonard Ternovsky -- (See Helsinki Moscow Group)

Feliks Serebrov -- (See Moscow Helsinki Group)

GROUP FOR THE LEGAL STRUGGLE OF THE FAITHFUL AND FREE SEVENTH-DAY ADVENTISTS

44. Rostislav Galetsky -- sentenced on March 25, 1981 to five years in camp, plus five years in internal exile for "anti-Soviet slander" (Article 190-1 RSFSR Criminal Code) and violation of laws separating church and state (Article 142).

CATHOLIC COMMITTEE FOR THE DEFENSE OF BELIEVERS

Vytautas Skuodys -- (See Lithuanian Group)

MEMBERS SENTENCED BEFORE JOINING

Ukrainian Group

45. Vasyl Ovsienko -- sentenced in August 1981 to ten years strict regimen camp plus five years exile for "anti-Soviet agitation and propaganda." (In 1979, he got three-year term for "resisting a representative of authority.")

46. Oksana Popovych -- arrested in November 1973 and sentenced to eight years in strict regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

47. Bohdan Rebryk -- arrested on May 23, 1974, and sentenced to seven years in special regimen camp and three years of internal exile for "anti-Soviet agitation and propaganda."

48. Yuri Shukhevych -- arrested in March 1972 and sentenced to five years in prison, five years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda." (Shukhevych was first arrested on August 24, 1948, because he was the son of the commander of the Ukrainian Partisan Army; he served two successive 10-year terms in prison and camp.)

49. Danylo Shumuk -- sentenced in July 1972 to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda," after serving several terms in camp and prison between 1933 and 1967 under political charges."

LITHUANIAN HELSINKI GROUP

50. Balys Gajauskas -- sentenced on April 14, 1978, to 10 years in special regimen camp and five years of internal exile for "anti-Soviet agitation and propaganda."

APPENDIX C

CONDITIONS OF INCARCERATION UNDER THE VARIOUS PENAL REGIMES IN THE USSR

	CAMP				PRISON	
	General	Intensified	Strict	Special	General	Strict
Confinement	In Open Barracks			In Locked Barracks		
Length of Exercise hours per day	-	-	-	1	1	.5
Nourishment calories per day	2,500	2,500	2,500	2,500	2,000	2,000
protein, grams/day	65	65	65	65	51	49
Receipt of packages up to 5 kg. in weight, after serving half of sentence, per year	3	2	1	1	0	0
Receipt of small packages up to 1 kg., per year	2	2	2	2	2	2
Amount that may be spent in the camp commissary, rubles per month	7	6	5	4	3	2
Personal visits (up to 3 days, in private) per year	2	2	1	1	0	0
General visits (2-4 hrs., in the presence of a guard)	3	2	2	1	2	0
Number of letters that may be mailed	No Limit	3	2	1	2	0
Number of letters that may be received	No Limit					